LAWS—NEW JERSEY
1944

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ACTS

OF THE

One Hundred and Sixty-eighth Legislature

OF THE

STATE OF NEW JERSEY

AND

One Hundredth Under the New Constitution

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New Jersey State Library

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

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

JOSEPH A. BROPHY,
Secretary of State.

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OF THE

One Hundred and Sixty-eighth Legislature

OF NEW JERSEY

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LAWS

ACTS

PASSED BY THE

One Hundred and Sixty-eighth Legislature

CHAPTER 1

AN ACT to validate and confirm written leases made by or to corporations whose charters have been forfeited for nonpayment of State taxes.

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

Validating lease by corporation.

1. Any written lease heretofore made by or to a corporation, organized under the laws of the State of New Jersey, affecting any lands, tenements or hereditaments situate in this State is hereby validated and confirmed notwithstanding that the charter of such corporation may have been forfeited for the nonpayment of State taxes before or after the time of the making of such written lease, so that any such written lease shall be as valid and effectual both at law and in equity for the entire term set forth in such written lease to the same extent that such written lease would have been valid and effectual if the charter of such corporation had never been forfeited; *provided, however,* that the charter of such corporation has been reinstated.

Proviso.

2. This act shall take effect immediately.

Approved January 31, 1944.

CHAPTER 2

AN ACT to validate and confirm deeds, mortgages, assignments of mortgages, discharges of mortgages, releases of mortgages, and postponements of mortgages made by or to corporations whose charters have been forfeited by nonpayment of State taxes.

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

Validating deed by corporation.

1. Any deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages, or postponement or postponements of mortgages, heretofore made by or to a corporation organized under the laws of the State of New Jersey, for, upon or affecting any lands, tenements or hereditaments situate in this State, are hereby validated and confirmed notwithstanding that the charter of such corporation may have been forfeited for nonpayment of State taxes at the time of the making of such deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages, or postponement or postponements of mortgages; *provided, however,* that the charter of said corporation has been reinstated.

Proviso.

2. This act shall take effect immediately.

Approved January 31, 1944.

CHAPTER 3

AN ACT concerning school elections, and supplementing article three, chapter seven, of Title 18 of the Revised Statutes.

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

1. In any annual or special school election, if the duplicate permanent registration form of any person cannot be found in the signature copy register at the time he applies for a ballot and such person claims that he was permanently registered in such municipality at least three days prior to such election or that he was permanently registered in another municipality within the same county and filed or forwarded a change of residence notice to the commissioner of registration of the county or the clerk of the municipality, other than the municipal clerk of the municipality in which the county seat is located, certifying that he has moved to the municipality in which he seeks to vote at least three days prior to such election, one of the school election officers shall require such person to make and sign an affidavit in the form which shall have been prescribed by the Commissioner of Education, which form shall include a statement that such person was permanently registered in such municipality at least three days prior to such election or that such person was permanently registered in another municipality within the same county and filed or forwarded a change of residence notice to the commissioner of registration of the county or the clerk of the municipality, other than the municipal clerk of the municipality in which the county seat is located, certifying that he has moved to the municipality in which he seeks to vote at least three days prior to such election, and that such person has the qualifications required to vote at such

C. 18:7-29.1.

Make and sign affidavit.

Form of statement.

Person has qualification to vote.

election. If such form has been properly filled out by a school election officer and signed by such person, such person shall be eligible to receive a ballot. The number of the ballot shall be recorded on such form and the form shall be transmitted to the superintendent of schools of the county, in the sealed packet required by section 18:7–44 of the Revised Statutes. Any school election officer may take such affidavit.

Guilty of misdemeanor.

2. Any person signing any such affidavit form which includes a false statement of fact shall be guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved February 1, 1944.

CHAPTER 4

AN ACT to amend "An act constituting a commission to study the personnel employed by the various State departments, boards, commissions and agencies and of their various duties and compensation and making an appropriation therefor," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 162).

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

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

Commission to report to Legislature.

5. The person or persons or organization or agency employed by the commission to make said study shall report to the commission and the commission shall report to the Legislature with its recommendations, transmitting therewith the report of the person or persons or organization or agency employed by it, on or before April first, one thousand nine hundred and forty-four.

2. This act shall take effect immediately.

Approved February 4, 1944.

CHAPTER 5

AN ACT concerning the registration of motor vehicles, and amending section 39:3–4 of the Revised Statutes.

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

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

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

Such registration shall be made in the following manner: An application in writing, signed by the applicant or by an agent or officer in case the applicant is a corporation, shall be made to the commissioner or his lawful agent, on forms prepared and supplied by the commissioner, containing the name and address of the owner, together with a description of the character of the automobile or motorcycle, including the name of the maker and the manufacturer's number and the motor number, and any other statement that may be required by the commissioner. Thereupon the commissioner shall have power to grant a registration certificate to the owner of any motor vehicle, application for the registration having been properly made and the fee therefor paid, and the vehicle being of a type that complies with the requirements of this subtitle. The registration certificate to be issued by the commissioner shall be properly numbered and shall state that the motor vehicle or motorcycle is registered in accordance with the law. The commissioner shall cause the name of the owner, with his address and the number of his certificate Application made to commissioner. Registration certificate.

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

Expiration date.

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

Period.

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

Penalty.

Any person violating the provisions of this section shall be subject to a fine not exceeding one hundred dollars ($100.00), except that for the misstatement of any fact in the application required to be made by the commissioner, the person making such statement shall be subject to the penalties provided in section 39:3–37 of this Title.

2. This act shall take effect immediately.

Approved February 4, 1944.

CHAPTER 6

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

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

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

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

office, position, or employment, by way of bonus for the fiscal year in which such order is made, as such body, board or officer may determine, not
Amount. exceeding twenty per centum (20%) of the regular annual rate of such usual or regular salary or pay of such persons holding such office, position, or em-
Proviso. ployment; *provided,* that where such annual rate of such usual or regular salary or pay is not in excess of twelve hundred dollars ($1,200.00) per annum, such bonus payments limitation shall be thirty per centum (30%) of such regular salary or
Proviso. pay; *and provided,* that nothing in this act shall be held or construed to permit such body, board or officer to grant or order paid any such bonus to any member of such board, or body, or to himself, or to grant or pay any such bonus to any person whomsoever after the thirty-first day of December,
Proviso. one thousand nine hundred and forty-seven; *and provided further,* that no grant or payment of any bonus under this act shall be made to any such person if the regular annual rate of the usual or regular salary or pay of such person holding such office, position or employment is more than five thou-
Proviso. sand dollars ($5,000.00) per annum; *and provided further,* that no person whose regular annual rate of the usual or regular salary or pay in such office, position or employment is more than three thousand dollars ($3,000.00) shall receive any grant or payment of any bonus under this act greater in amount than that to which persons whose regular annual rate of the usual or regular salary or pay is three thousand dollars ($3,000.00) would be en-
Proviso. titled; *and provided,* that the provisions of this act shall extend to State employees whose compensation is paid in full by such county, municipality, school district or other political subdivision of this
Proviso. State; *and provided further,* that no grant or payment of any bonus under this act shall be held or construed as an increase in the salary or pay of any person receiving the same; neither shall the cessation of any such bonus, or any part thereof, be held or construed to amount to a reduction in

the salary or pay of any persons holding office, position, or employment, nor shall the amount of any such bonus be taken into consideration or included in any calculation respecting any amount to be paid into or out of any pension, retirement or other similar fund or in any similar connection.

Right to pay bonus.

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

2. This act shall take effect immediately.

Approved February 4, 1944.

CHAPTER 7

AN ACT concerning elections, providing for the use of voting machines in first and second class counties, making an appropriation to the State House Commission, and supplementing chapter forty-eight of Title 19 of the Revised Statutes.

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

C. 19:48-3.3. Voting machines provided for.

1. In each county of the first class and each county of the second class in which voting machines of the type to meet the requirements of subtitle fifteen of Title 19 of the Revised Statutes have not been furnished by the board of chosen freeholders for use at all elections in all election districts in said county, such voting machines shall be provided by the State House Commission for use in all election districts of each said county in the manner provided by this act.

C. 19:48-3.4. Appropriations.

2. There is hereby appropriated to the State House Commission the sum of one million five hundred thousand dollars ($1,500,000.00) for the purpose of purchasing the voting machines required by this act.

C. 19:48-3.5. Purchase.

3. The State House Commission shall purchase such voting machines of the type described in subtitle fifteen of Title 19 of the Revised Statutes, by competitive bidding and upon such notice and according to such procedure as the State House Commission shall prescribe.

C. 19:48.3.6. Purchase number of machines available.

4. If the State House Commission is unable to purchase sufficient voting machines to meet the requirements of this act, it shall purchase such number as may be available and thereafter, from time to time, make further purchases of such voting machines as they become available, until sufficient voting machines have been purchased to meet the requirements of this act.

C. 19:48-3.7. County to be delivered.

5. All voting machines purchased by the State House Commission pursuant to this act shall be delivered to the superintendent of elections in counties of the first class and to the county board of elections in each county of the second class. If the State House Commission is unable at its first purchase to purchase sufficient voting machines to meet the requirements of this act, it shall determine in its discretion the county or counties to which the voting machines purchased are to be delivered and the machines shall be delivered as required by such determination, and as further purchases are made the same procedure shall be followed.

C. 19:48-3.8. Appropriate money.

6. As soon as any voting machines are purchased by the State House Commission and the determination is made as to the number to be delivered to any county, the State House Commission shall certify to the board of chosen freeholders of said county the number of voting machines purchased for said county and the amount of the purchase price paid therefor. In the annual budget of said county for the year following the date of such certification, and in each annual budget thereafter until the full amount so certified is paid, the board of chosen freeholders of said county shall appropriate an amount sufficient to pay one-fifth of the total amount or amounts so certified by the State House Commission, together with three per centum (3%) interest from the date of certification.

C. 19:48-3.9. Appropriation included in budget.

7. In each county in which it is required by this act that an appropriation for the purposes of this act be included in the annual budget of any county, the board of chosen freeholders of said county shall direct the county treasurer of said county to pay, and the county treasurer, not later than the first day of March in such year, shall pay to the State Treasurer the amount of such appropriation out of the first moneys received from the various municipalities of the county for county taxes and before making any other payment out of said moneys.

C. 19:48-3.10. Withhold approval of county budget.

8. Whenever the State House Commission makes its certification to any county of money to be appropriated by said county pursuant to the provisions

of this act, it shall make a like certification to the Commissioner of Local Government and it shall be the duty of the Commissioner of Local Government to withhold approval of any county budget which does not contain any appropriation required by this act until such time as such appropriation is included.

C. 19:48-3.11. Voting machines installed.

9. When voting machines are delivered to any county pursuant to the provisions of this act and they are insufficient to provide voting machines for use in all election districts of said county, such voting machines shall be installed and used in such municipalities of said county and in such wards thereof as, in counties of the first class, the superintendent of elections shall designate and as, in counties of the second class, the commissioner of registration shall designate, giving preference to municipalities in the descending order of population measured by the last Federal census and, in any municipality, giving preference to the several wards thereof according to the same standard.

C. 19:48-3.12. Notice.

10. For the purpose of this act, the State House Commission may be convened by any member thereof on ten days' notice, in writing, given to the other members thereof, and a vote of the majority of the members thereof shall constitute valid action by said commission.

C. 19:48-3.13. Ballots.

11. No ballots other than ballots required for use in voting machines shall be prepared or used at any election in any election district in any such county for which voting machines are available, and which has been designated by the superintendent of elections of the county if a county of the first class or by the commissioner of registration of the county if a county of the second class, under the provisions of this act, as an election district in which voting machines shall be used.

C. 19:48-3.14. Attorney-General to enforce act.

12. If any provision of this act is not complied with, the Attorney-General, at the request of the State House Commission, shall forthwith proceed to enforce compliance with the same.

13. This act shall take effect immediately.

Approved February 9, 1944.

CHAPTER 8

AN ACT concerning elections, amending section 19:24–5, repealing sections 19:25–1 and 19:25–2, and supplementing Title 19 of the Revised Statutes.

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

1. Section 19:24–5 of the Revised Statutes is amended to read as follows: Section amended.

19:24–5. Candidates for the position of delegates or alternates may be grouped together, if they so request in their petitions, and may also have the name of the candidate for President whom they favor placed opposite their individual names or opposite such groups, if they so request in their petitions and if the written consent of such candidate for President is endorsed upon their petitions, under the caption "Choice for President." Choice for president.

2. Sections 19:25–1 and 19:25–2 of the Revised Statutes are repealed. Sections repealed.

3. No designation or slogan shall be printed on any ballot to be used in the conduct of any primary election in connection with any candidate or group of candidates for office, which designation or slogan includes or refers to the name of any other person unless the written consent of such other person has been filed with the petition of nomination of such candidate or group of candidates. C. 19:23-25.1. Consent filed.

4. This act shall take effect immediately.

Approved February 23, 1944.

CHAPTER 9

AN ACT to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, in time of war, an opportunity to vote in the general election to be held in this State in the year one thousand nine hundred and forty-four notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes.

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

C. 19:55-1.

1. Whenever used in this act, the following terms shall, unless the context indicates otherwise, be construed to have the following meaning:

Military service.

"Military service" means active service by any person, as a member of the National Guard, State Guard or of any branch or department of the United States Army, Navy or Marine Corps or Merchant Marine or of any auxiliaries thereof, or as a Reservist absent from his place of residence and undergoing training under Army or Navy direction, or in the American Red Cross, the Society of Friends, or the United Service Organizations, when attached to, and serving with, the armed forces, of the United States or of this State, at a place other than that of such person's residence;

"Military service voter" means any person in the military service who, prior to entering the military service, was a resident of this State and who, at the time of the general election held in this State in the year one thousand nine hundred and forty-four, is a citizen of the United States, is of the age of twenty-one years or more, is not disqualified by

reason of conviction of crime from voting in this State, and has resided in the State at least one year and in the county, in which he claims the right to vote, at least five months, counting the time he has been in the military service in said periods of residence;

"Military service ballot" means a ballot for use by a military service voter as prescribed by this act. Service ballot.

2. The purpose of this act is to afford every voter of this State who is in the military service in time of war the opportunity to vote in the general election to be held in this State in the year one thousand nine hundred and forty-four, notwithstanding the fact that such person may be absent on said election day from the election district in which he resides, whether such person is within or without this State, or within or without the United States, and this act shall be liberally construed to effectuate such purpose. C. 19:55-2. Purpose of act.

3. The provisions of this act shall be supplemented by the provisions of any legislation enacted by the Congress of the United States for the furnishing of information necessary to ascertain military service addresses and the voting qualifications of persons claiming to be entitled to vote in elections in this State by military service ballots, and the Adjutant-General, the county boards of elections, and all other appropriate officers of the State hereby are directed to comply with the provisions of such legislation, if and when the same is enacted, as nearly as may be practicable. C. 19:55-3. Military addresses.

4. The Governor shall have power to take such measures, as he sees fit, to ascertain the names, home addresses and service addresses of the residents of this State, who will be qualified military service voters, on the day of the general election to be held in this State in the year one thousand nine hundred and forty-four, in such manner, and by such means, as he shall determine and he shall certify such names, home addresses and service addresses, from time to time as such information is C. 19:55-4. Ascertain names.

obtained, to the Adjutant-General and in any cases in which the names of any such military service voters shall be obtained by the Governor with their home addresses but such military service voters' service addresses shall not be so obtained, such military service voters' names and home addresses shall be so certified on separate lists.

C. 19:55-5. Adjutant-General to ascertain names.

5. The Adjutant-General shall make every reasonable effort to ascertain the names, home addresses and service addresses of the residents of this State who will be qualified military service voters on the day of the general election to be held in this State in the year one thousand nine hundred and forty-four through the members of their families, and through the War and Navy Departments and the Selective Service Agencies, and by means of circularization and publicity and by other reasonable means, and shall compile lists thereof from time to time for use in carrying out the purposes of this act and shall add to said lists such additional names, home addresses and service addresses of such military service voters as shall be certified to him by the Governor. He shall compile separate lists of the names and home addresses of the military service voters whose service addresses he has not been able to obtain either through his own efforts or by certification of the Governor.

C. 19:55-6. Adjutant-General to certify names.

6. The Adjutant-General shall certify, from time to time, to each county clerk, the names, home addresses and service addresses, which he has been able to ascertain, of the qualified military service voters who will be eligible to vote in the county at the general election in the year one thousand nine hundred and forty-four. Such certifications shall be made with reasonable expedition after the requisite information has been obtained. The Adjutant-General shall make every reasonable effort to complete such certifications on or before August first, one thousand nine hundred and forty-four, and in cases in which the service addresses of any such military service voters have not been obtained prior to said date, he shall on said date certify the names

and home addresses of such military service voters as he has been able to obtain.

Supplemental lists of the same character and correcting and supplementing said lists shall be certified by the Adjutant-General to each county clerk at such intervals after said date as may be necessary to carry out the purposes of this act.

C. 19:55-7. Advertising lists have been certified.

7. Each county clerk shall, on August second, one thousand nine hundred and forty-four, cause advertisement to be made, in the newspapers published and circulating in his county, that such lists have been certified to him and are on file in his office and requesting all persons, having knowledge thereof, to advise him of any changes in the service addresses appearing on said lists, and of the service address of any military service voter whose name appears upon any of said lists but whose service address does not appear thereon; and shall make such corrections in said lists, by changing or supplying service addresses, as the information received as the result of such advertisement shall warrant.

Forward military service ballot.

8. Each county clerk shall, with all possible dispatch after the fifteenth day of August, one thousand nine hundred and forty-four, forward a military service ballot, by first class mail with first class postage prepaid, to each person whose name and home address and service address appears upon such lists, at the service address so appearing, and all ballots to be forwarded to persons whose service addresses as so appearing are without the limits of the forty-eight States and the District of Columbia shall be forwarded by air mail with proper postage prepaid.

Supplemental lists.

As supplemental lists are certified to each county clerk, he shall in like manner, but not later than five days before such general election, forward military service ballots to the persons named upon said lists.

Ballot to be used at said election.

9. Each military service ballot shall conform generally to the ballot to be used at said election in said election district and shall be so arranged that the military service voter may indicate thereon his

choice of the candidates for the offices to be filled, and as to all public questions, if any, to be voted upon, in such military service voter's election district at said election and sufficient space shall be provided thereon for such military service voter to write in and vote for his personal choice for any public office to be filled at such election.

Send printed instruction.

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

Outer envelope.

The outer envelope shall be addressed to the county board of elections of the county in which is located the home address of the person to whom the ballot is sent, as certified by the Adjutant-General.

Inner envelope.

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

Certificate on mailing flap.

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

I hereby certify that

1. I am a citizen of the United States;

2. The date of my birth was .....;

3. On the date of the 1944 general election I will have resided in New Jersey for ..... and in .....,
(Years and months)
county for .....;
(Years and months)

4. My home address is at .....
..... in
(Street and number, if any, or rural route)
.....;
(City, borough, town, township or village)
5. My military service address is .....
.....
.....
(Write your usual signature above)
.....
(Print your name clearly above)
Witnessed by me this .....
day of .....
.....
(Signature and rank of commissioned officer).

Specification as to weight and size.

11. The military service ballots, together with the printed directions for the preparing and transmitting of the same and the inner envelopes with their certificates and the outer envelopes to be used therewith, shall conform as nearly as may be practicable to any specifications as to weight and size, which may be made by the War, Navy and Post-Office Departments of the United States, in connection with transporting the same.

County clerk to certify.

12. Each county clerk shall, from time to time, prior to such general election, certify in writing, under oath, to the commissioner of registration of the county, the names and home addresses of the persons to whom military service ballots to be voted at such election have been forwarded pursuant to this act.

Military file.

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

Ballot placed in inner envelope.

14. Any military service voter shall be entitled to mark any military service ballot, so forwarded to him, for voting at such election by indicating his choice of candidates for the offices named, and

as to public questions, if any, stated, thereon in accordance with election laws of this State, and, when so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in his own handwriting, and his signature thereto shall be witnessed by a commissioned officer and said inner envelope with the certificate shall then be placed in said outer envelope which shall then be sealed.

Mailed to county board.

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

Remove inner envelope.

15. The county board of elections shall, promptly after receiving each military service ballot, remove the inner envelope, containing the ballot, from the outer envelope and ascertain whether or not the name of the person, whose name appears following the certificate on the flap of said inner envelope, has been certified by the county clerk to the commissioner of registration of the county as a person to whom a military service ballot to be voted at such election has been forwarded pursuant to this act. Should any dispute arise as to whether or not such person's name has been so certified or as to how any military service ballot shall be counted, the county board shall refer the matter to the court of common pleas for determination.

Investigation by county board.

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

County ballot.

16. It shall not be necessary to qualify any military service voter to vote by a military service ballot in any county, that he shall be or shall have been registered to vote in any election district of this State at the time of said election or at any other time, if his name has been certified by the county clerk of the county to the commissioner of registration of the county as hereinbefore provided. Any military service ballot returned to any county board of elections in the envelopes required by this act shall be counted in determining the result of said election in the election district indicated by the military service voter's home address appearing on the certificate attached to or accompanying the inner envelope, containing such military service ballot, if such certificate contains information which would qualify the military service voter to vote in said election district if he were registered to vote therein, and if said certificate has been filled in and purports to have been executed and witnessed in the manner required by this act and if such military service ballot has been so marked as to comply with the requirements of the election laws of this State and in computing the length of residence, in the county and State, of any military service voter the time which shall have elapsed during his military service shall be counted. All ballots received by the county boards prior to the time designated for the closing of the polls for said election shall be counted.

Apply in writing for ballot.

17. Any person in the military service who returns to his place of residence within this State, within ten days before any election, and who has not received a military service ballot, may appear in person before, and apply in writing to, the proper county clerk for a military service ballot and, if his name has been certified as a military service voter by the Adjutant-General to such county clerk, he shall be entitled to receive a military service ballot upon being properly identified and to cast the same by presenting it in person to the proper county board of elections, properly

marked, enclosed and sealed in the inner envelope provided for that purpose, with the certificate on the flap of the inner envelope duly filled in and signed as required by this act, upon being properly identified, at any time before the closing of the polls on the day of such election, and if the ballot is properly marked, it shall be counted at the election.

Day of election.

18. On the day of such election each county board of elections shall open the inner envelopes in which the military service ballots, returned to it, are contained, except those containing the ballots which the board or the court of common pleas of the county has rejected, and shall remove from said inner envelopes the military service ballots and shall then proceed to count and canvass the votes cast on such military service ballots. Immediately after the canvass is completed, the county boards of election shall certify the result of such canvass to the county clerk showing the result of the canvass by ward and district, and the votes so counted and canvassed shall be counted in determining the result of said election.

Retain for period of one year.

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

Emergency voting form.

20. Any elector who has been in the military service, but who has been honorably discharged from such service too late to register at the last registration day before said election, may obtain an emergency voting form at the office of the proper commissioner of registration if he has been previously permanently registered, and upon presentation of such emergency voting form to the proper district board he shall be permitted to vote. In the event that he has not been permanently registered, upon exhibiting his honorable discharge to

such commissioner of registration such commissioner shall require such honorably discharged elector to register notwithstanding any provisions of law prohibiting the taking of registrations at such time, before issuing such emergency voting form.

21. This act shall take effect immediately.

Approved February 23, 1944.

CHAPTER 10

AN ACT extending the period of time for imposition of sentence upon defendants in criminal cases, and amending section 2:192–1 of the Revised Statutes.

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

1. Section 2:192–1 of the Revised Statutes is amended so that the same shall read as follows: Section amended.

2:192–1. In all criminal cases where sentence is by law to be imposed, it shall be the duty of the trial court to impose sentence upon a defendant within ninety days after such defendant shall have been convicted of or shall have pleaded guilty to the commission of a crime, except that, where a sentence has been opened and vacated it shall be the duty of the court, except when a new trial is granted, to resentence the defendant within ten days after the opening and vacation of such sentence. Impose sentence within ninety days. Resentence defendant within ten days.

Nothing in this section contained shall be construed to in any way affect the provisions of either section 2:185–5 or 2:195–23 of this Title.

2. This act shall take effect immediately.

Approved February 23, 1944.

CHAPTER 11

AN ACT concerning disorderly persons, and amending section 2:202–13 of the Revised Statutes.

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

Section amended.

1. Section 2:202–13 of the Revised Statutes is amended to read as follows:

Disorderly person.

2:202–13. Any person who shall willfully and maliciously ring, or cause to be rung, any bell or alarm of any fire company in any municipality of this State, and thereby give or cause to be given a false alarm of fire, or shall willfully and maliciously send a message of false alarm of fire by telephone or by any other method or means, shall be adjudged a disorderly person.

2. This act shall take effect immediately.

Approved February 23, 1944.

CHAPTER 12

AN ACT in relation to the sale, procurement, transfer or possession of or the offer to sell, procure or transfer tickets, reservations or passenger accommodations issued by any railroad, parlor or sleeping car owner or operator, steamship company, air line or bus line and limiting the charge to be made for such procurement or transfer, or the price at which such tickets, reservations or accommodations may be sold.

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

1. Definitions. Whenever used in this act C. 2:171A-1.

a. The term "established tariff charge" is the charge set forth in the tariff as published and filed by the railroad, parlor or sleeping car owner or operator, steamship company, air line or bus line involved. Tariff charge.

b. The term "passage ticket" includes, each passage ticket or combination of tickets issued by any railroad, parlor or sleeping car owner or operator, steamship company, air line or bus line, required by any one passenger for transportation from his original point of departure to final destination. Passage ticket.

c. The term "reservation or passenger accommodation" includes each reservation or passenger accommodation issued by any railroad, parlor or sleeping car owner or operator, steamship company, air line or bus line, for the use of a passenger between his original point of departure and final destination. Reservation or passenger accommodation.

d. The term "charge" shall include any service charge, fee, payment or consideration required, charged, made or received for rendering the service or procuring or transferring a ticket, reservation or passenger accommodation. Charge.

Procure and procurement.

e. The terms "procure" and "procurement" shall include procuring by purchase or otherwise.

C. 2:171A-2.

2. Any person, whether acting on behalf of himself or another person, who

Price in excess.

(1) Sells, resells, or causes to be resold, or offers to sell or resell, any ticket, reservation or passenger accommodation, at a price in excess of one dollar ($1.00) above the established tariff charge or charges therefor; or

Procure ticket.

(2) Procures or possesses or offers to procure any ticket, reservation or passenger accommodation, with the intent to sell or resell the same, or to cause the same to be sold or resold, at a price in excess of one dollar ($1.00) above the established tariff charge or charges; or

Charge in excess of one dollar.

(3) Requires, makes or receives a charge in excess of one dollar ($1.00) for the procurement or transfer of a ticket, reservation or passenger accommodation; or

(4) Procures or possesses or offers to procure a ticket, reservation or passenger accommodation, with the intent to require, make or receive a charge therefor in excess of one dollar ($1.00),

Guilty of misdemeanor.

Shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not exceeding two hundred fifty dollars ($250.00) or by imprisonment not exceeding one year, or both, for each separate offense.

C. 2:171A-3. Presumptive evidence.

3. Proof of the sale or resale of or offer to sell or resell a ticket, reservation or passenger accommodation at a price in excess of the amount or amounts herein specified, shall be presumptive evidence of the intent specified in subdivision (2) of paragraph two hereof.

C. 2:171A-4. Presumptive evidence.

4. Proof of the making or receiving of any charge in excess of one dollar ($1.00) shall be presumptive evidence of the intent specified in subdivision (4) of paragraph two hereof.

C. 2:171A-5. Copy to be posted.

5. The person responsible for the management of each travel agency and hotel operating within the State of New Jersey shall, within thirty days after its enactment, cause a copy of this act to be posted in a conspicuous place upon the premises of the agency or hotel for the information of patrons, guests and members of the public at large.

C. 2:171A-6. Act not to apply.

6. This act shall not apply to tickets, reservations or passenger accommodations (a) to or from places outside of the continental United States and Canada, excluding Alaska nor (b) to existing written contracts between any travel agency and any corporation, firm or government agency covering tourist or travel services.

C. 2:171A-7. If part of act held invalid.

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

C. 2:171A-8.

8. This act shall take effect immediately and shall continue in effect only during the present war.

Approved March 1, 1944.

CHAPTER 13

AN ACT concerning the acquiring, holding, and disposing of preferred stock issued by a national bank transacting business in this State, or by a bank or trust company of this State, to any officer, board, or commission of this State, in exchange for money on deposit in such national bank or bank or trust company of this State, and amending section 52:14–33 of the Revised Statutes.

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

Section amended.

1. Section 52:14–33 of the Revised Statutes is amended to read as follows:

Shall certify in writing.

52:14–33. Any officer, commission or board of this State, having money of the State or of such board or commission on deposit in any national bank transacting business in this State, or any bank or trust company organized under the laws of this State, may subscribe to and accept preferred stock in any such national bank, or bank or trust company of this State, in whole or in part to the extent of such deposit, where the Comptroller of the Currency of the United States, or the Commissioner of Banking and Insurance of this State, as the case may be, shall certify in writing to any such officer, commission or board of this State, that the same is advisable in the public interest. Such officer, board, or commission of this State and his or their successors, shall have and may, in his or their discretion, exercise all the rights incidental to the ownership of such stock, and may sell, transfer, or exchange such stock upon such terms and conditions, and for such consideration as such officer, board, or commission of this State shall deem advisable or advantageous. Such officer, board, or

May sell, transfer or exchange stock.

commission of this State shall have power to participate in and to consent to any amendment or amendments to the certificate of incorporation of such national bank or of such bank or trust company of this State, now or hereafter authorized by law, and may do all acts and things required or necessary to make such amendment or amendments effective according to their terms.

2. This act shall take effect immediately.

Approved March 1, 1944.

CHAPTER 14

AN ACT concerning disorderly persons, and supplementing subtitle fifteen of Title 2 of the Revised Statutes.

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

1. Any person who shall smoke a cigar, cigarette, or tobacco in any form, or who shall carry a lighted cigar, cigarette, or tobacco in any form, in any bus or trolley car, shall be adjudged a disorderly person, and punished by a fine of not more than ten dollars ($10.00) for such offense. C. 2:202-26.1. Adjudged disorderly person.

2. This act shall take effect immediately.

Approved March 1, 1944.

CHAPTER 15

AN ACT authorizing the State Treasurer to sell and dispose of bonds and mortgages on real property and stocks of corporations standing in the name of the State Treasurer, or in the name of the State of New Jersey, and received by the State Treasurer in liquidation of claims of the State against insolvent banks and trust companies.

Whereas. WHEREAS, In the liquidation of banks and trust companies the State Treasurer has received bonds and mortgages on real property and stocks of corporations, which now stand in the name of the State Treasurer, or in the name of the State of New Jersey, and which were received by the State Treasurer in liquidation of claims of the State against insolvent banks and trust companies; and

Whereas. WHEREAS, It is deemed advisable that said securities be converted into cash; now, therefore,

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

State Treasurer to sell bonds and mortgages. 1. The State Treasurer is hereby authorized and empowered to sell and dispose of bonds and mortgages on real property and stocks of corporations, standing in the name of the State Treasurer, or in the name of the State of New Jersey, which were received by said State Treasurer in liquidation of claims of the State against insolvent banks and trust companies; and said securities may be disposed of by the State Treasurer either at public auction or at private sale, in his discretion.

Appraisals made. 2. In order that the State Treasurer may ascertain the value of the said securities he is hereby

authorized to have necessary appraisals made, and to pay the cost thereof, together with all other costs, out of the proceeds of the administration of said funds.

Credit proceeds of sale.

3. If the proceeds from the sale of any such securities belong to any dedicated or special fund the State Treasurer is authorized to credit the proceeds from said sale to such dedicated or special funds; otherwise to place the same in the general fund of the State.

4. This act shall take effect immediately.

Approved March 1, 1944.

CHAPTER 16

AN ACT concerning elections, and supplementing Title 19 of the Revised Statutes.

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

C. 19:14-8.1. Presidential electors.

1. When Presidential Electors are to be elected, their names shall not be printed upon the ballot, either paper or voting machine, but in lieu thereof, the names of the candidates of their respective parties or political bodies for President and Vice-President of the United States shall be printed together in pairs under the title "Presidential Electors for." All ballots marked for the candidates for President and Vice-President of a party or political body, shall be counted as votes for each candidate for Presidential Elector of such party or political body.

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

3. This act shall become effective immediately.

Approved March 1, 1944.

CHAPTER 17

AN ACT concerning county and municipal finances.

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

Commissioner to certify.

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

Proviso.

2. This act shall take effect immediately.

Approved March 1, 1944.

CHAPTER 18

AN AMENDMENT to "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and regulating the disbursement thereof," approved March twenty-seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 54).

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

1. Section four is hereby amended to read as follows: Section amended.

4. No moneys shall be drawn from the treasury except for objects as hereinbefore specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, Department of Agriculture receipts pursuant to Revised Statutes, section 4:10–9, United States appropriation to agricultural college, taxes for the use of taxing districts in this State, grade crossing elimination fund, appropriated emergency relief and municipal aid funds, forest fire fund, forest nursery fund, forest land fund, workmen's compensation tax fund, educational aid fund, moneys directed by any law to be paid to the Teachers' Pension Annuity Fund, 1837 surplus revenue fund income, State Police retirement fund, Clerk in Chancery enrollment fund, unclaimed accounts of patients and prisoners in State institutions, Unemployment Compensation Commission, compensation awards, billboard regulation fund, moneys received by the several institutions representing No moneys to be withdrawn.

garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed, vocational schools, Crippled Children's Commission, High Point Park Commission, Palisades Interstate Park Commission, interconnection revolving fund of the State Water Policy Commission, Federal funds subsidizing the State under the Social Security Act, and such other Federal funds used to match State appropriations in P.W.A. and W.P.A. projects, moneys received from tuition for extension in summer school courses, which last named moneys shall be paid pursuant to the laws applicable thereto; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to Revised Statutes, section 13:8–9; moneys received by the Quartermaster-General under the provisions of article three, chapter 2–38 of the Revised Statutes; moneys received by the Department of Labor for the Bureau of Explosives, the Industrial Home Work Division, and the Bureau of Structural Inspection; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the State Comptroller.

Act not to apply.

2. This act shall take effect immediately.

Approved March 1, 1944.

CHAPTER 19

AN ACT to amend the title of "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December thirty-first, one thousand nine hundred and forty-three; to authorize housing authorities to co-operate with or act as agent of the Federal government in the development and administration of such projects of the Federal government; to acquire or lease such projects and to sell certain projects to the Federal government; to authorize public bodies to assist such projects of housing authorities and of the Federal government; to make obligations issued for such projects of housing authorities legal investments; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities," approved June fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 213), so that the same shall read "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able

to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until the termination of the present wars; to authorize housing authorities to co-operate with or act as agent of the Federal government in the development and administration of such projects of the Federal government; to acquire or lease such projects and to sell certain projects to the Federal government; to authorize public bodies to assist such projects of housing authorities and of the Federal government; to make obligations issued for such projects of housing authorities legal investments; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities," and to amend the body of said act.

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

1. The title of "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December thirty-first, one thousand nine hundred and forty-three; to authorize housing authorities to co-operate with or act as agent of the Federal government in the development and administration of such projects of the Federal government; to acquire or lease such projects and to sell certain projects to the Federal government; to authorize public bodies to assist such projects of housing authorities and of the Federal government; to make obligations issued

for such projects of housing authorities legal investments; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities," approved June fourteenth, one thousand nine hundred and forty-one, is amended to read "An act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until the termination of the present wars; to authorize housing authorities to co-operate with or act as agent of the Federal government in the development and administration of such projects of the Federal government; to acquire or lease such projects and to sell certain projects to the Federal government; to authorize public bodies to assist such projects of housing authorities and of the Federal government; to make obligations issued for such projects of housing authorities legal investments and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities."

Section amended.

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

C. 55:14C-2. Safe and sanitary dwellings.

2. Development and administration. A housing authority created pursuant to the local housing authorities law (laws of 1938, chapter 19, as amended by laws of 1938, chapter 210 R. S., and any amendments thereto) may with the financial aid of the Federal government, or as agent for the Federal government, as hereafter provided undertake the development and administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities

whom the housing authority determines would not otherwise be able to secure safe and sanitary dwellings, but no housing authority shall initiate the development of any such project pursuant to this act after the termination of the present wars. In the ownership, development or administration of such projects the housing authority shall have all the rights, powers, privileges and immunities that such authority has under the local housing authorities law relating to slum clearance and housing projects for persons of low income in the same manner as though all such provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities as provided in this act; *provided*, that during the period (herein called the "National Defense Period") that a housing authority finds that within its authorized area of operation, or any part thereof, there is an acute shortage of safe and sanitary dwellings which impedes the national defense program in this State and that the necessary safe and sanitary dwellings would not otherwise be provided when needed for persons engaged in national defense activities, any project developed or administered by such housing authority in such area pursuant to this act (when acting as agent for the Federal government or otherwise) shall not be subject to the rental and tenant selection limitations provided in the local housing authorities law; *and provided further*, that during the national defense period, a housing authority may make payments in such amounts as it finds necessary or desirable for any facilities, works, services, privileges or improvements furnished for or in connection with any such projects, except that payment for the products furnished or the services rendered by public utilities, as public utilities are defined by section 48:2–13 of the Title, Public Utilities, shall be at rates not lower than the applicable rates which have been fixed as pre-

Slum clearance.

Proviso.

Proviso.

scribed by law. After the national defense period, any such projects owned and administered by a housing authority shall be administered for the purposes and in accordance with the provisions of the local housing authorities law.

Section amended.

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

C. 55:14C-8. Definitions.

8. Definitions. (a) "Persons engaged in national defense activities," as used in this act, shall include: enlisted men in the military and naval services of the United States and employees of the War and Navy Departments assigned to duty at military or naval reservations, posts or bases, and workers engaged or to be engaged in industries connected with and essential to the national defense program; and shall include the families of the aforesaid persons who are living with them.

Definition.

(b) "Persons of low income," as used in this act, shall mean persons or families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality to build or furnish an adequate supply of decent, safe and sanitary dwellings so as to enable them, without financial assistance, to live in such dwellings, without overcrowding.

Definition.

(c) "Development," as used in this act, shall mean any and all undertakings necessary for the planning, land acquisition, demolition, financing, construction or equipment in connection with a project (including the negotiation or award of contracts therefor), and shall include the acquisition of any project (in whole or in part) from the Federal government.

Definition.

(d) "Administration," as used in this act, shall mean any and all undertakings necessary for management, operation or maintenance, in connection with any project, and shall include the leasing of any project (in whole or in part) from the Federal government.

Definition.

(e) "Federal government," as used in this act, shall mean the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

Definition.

(f) The development of a project shall be deemed to be "initiated," within the meaning of this act, if a housing authority has issued any bonds, notes or other obligations with respect to financing the development of such project of the housing authority, or has contracted with the Federal government with respect to the exercise of powers hereunder in the development of such project of the Federal government for which an allocation of funds has been made prior to the termination of the present wars.

(g) "Housing authority," as used in this act, shall mean any housing authority established or hereafter established pursuant to the local housing authorities law (laws of 1938, chapter 19, as amended by laws of 1938, chapter 210; and laws of 1938, chapter 21; and any additional amendments thereto).

4. This act shall take effect immediately.

Approved March 1, 1944.

CHAPTER 20

AN ACT to establish a Department of Law in the State Government.

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

C. 52:17A-1. Purpose of act.

1. The purpose of this act is to accomplish economy and efficiency by centralizing, in one department, the facilities afforded by the State for the rendering of legal services to the Governor and to all officers, departments, boards, bodies, commissions and instrumentalities of the State Government and to provide for the enforcement of the criminal law of the State by such department where the ends of justice so require.

C. 52:17A-2. Department of law.

2. There is hereby established a Department of Law in the State Government. The Attorney-General shall be the head of said department and the Attorney-General shall be nominated by the Governor and appointed by him with the advice and consent of the Senate and shall hold his office for the term of five years.

C. 52:17A-3. Attorney-General.

3. The Department of Law shall be administered by the Attorney-General and his deputy attorneys-general and deputy assistant attorneys-general as herein provided.

The Attorney-General shall receive an annual salary of fifteen thousand dollars ($15,000.00).

C. 52:17A-4. Powers and duties.

4. The powers and duties of the Department of Law shall be the powers and duties now or hereafter conferred upon or required of the Attorney-General, either by the Constitution or by the common and statutory law of the State, and as specifically but not exclusively as detailed herein, to wit:

a. Be present at the seat of the government during the sessions of the Legislature;

Legal advice.

b. Give to the Governor, to the members of the Senate and the General Assembly, and to all other officers, departments, boards, bodies, commissions and instrumentalities of the State Government, legal advice on such matters as they may from time to time require.

Decide legal matters.

c. Examine and decide all legal matters submitted to him by the Governor or the Legislature and act for them in any matter in which they may be interested, and shall exclusively attend to and control all litigation and controversies to which the State is a party or in which its rights and interests are involved.

Enforcement.

d. Carry out and enforce the provisions of the New Jersey securities law; also the civil rights law.

Interpret statutes.

e. Act as the sole legal adviser, attorney or counsel, notwithstanding the provisions of any other law, for all officers, departments, boards, bodies, commissions and instrumentalities of

the State Government in all matters other than those requiring the performance of administrative functions entailing the enforcement, prosecution and hearing of issues as imposed by law upon them; and represent them in all suits, proceedings or actions of any kind which may be brought for or against them in any court of this State; and shall likewise interpret all statutes and legal documents, inspect and approve contracts and titles and otherwise control their legal activities.

Prosecutes criminal business.

f. Render aid in the prosecution of the criminal business of any county at the written request of the prosecutor of the pleas of the county; prosecute the criminal business of the State in a county having no prosecutor of the pleas; attend for the trial of homicide cases and other high crimes and misdemeanors, or for the prosecution of the criminal business of the State, in any county, on the written request of a Justice of the Supreme Court or of the board of chosen freeholders of the county; and attend for the prosecution of a specific investigation or of a particular criminal case in any county on the written request of the Governor.

Attend to all legal matters.

g. Attend generally to all legal matters in which the State or any officer, department, board, body, commission or instrumentality of the State Government is a party or in which its rights or interests are involved;

Enforce laws.

h. Enforce the provisions of the Constitution and all other laws of the State, as well as perform all of the duties conferred and imposed by law upon the Attorney-General.

C. 52:17A-5. Have power and authority of prosecutor.

5. Whenever the Attorney-General, personally or by his deputies or assistants, shall attend in any county where there is no prosecutor, or at the request of the Governor or of a Justice of the Supreme Court or of the board of chosen freeholders or of the prosecutor of the pleas of the county, for the prosecution of the criminal business of the State

in said county or of such part thereof as shall be designated in, or as shall fall within the general purview of the matters designated in, the written request therefor, the Attorney-General and his deputies or assistants shall have all the power and authority of the prosecutor of the pleas for prosecuting the criminal business of the State or such part thereof, including the investigation of alleged crimes and misdemeanors, the attendance before the criminal courts and grand juries of the county, the preparation and trial of indictments for crimes and misdemeanors and the representation of the State in all proceedings in criminal cases on error or otherwise in the courts of this State.

Temporary assistant.

Whenever the Attorney-General shall have taken over the duties of a prosecutor of the pleas, he shall have all of the authority conferred by law upon the prosecutor, and he may appoint such temporary assistants as he may deem necessary, and shall also have power to appoint such aids, investigators or other personnel and clerical assistants as he shall deem necessary.

Judge to certify.

Whenever the criminal business or any part of the criminal business of any county is prosecuted by the Attorney-General, personally or by his deputies or assistants, there shall be paid, by the treasurer of the county, such sum for that special service as the Justice of the Supreme Court of that judicial district or a judge of the court of common pleas of said county shall certify and fix, on the application of the Attorney-General; *provided,* that the compensation allowed shall not exceed that provided by law for the payment of the prosecutor in said county for the same or similar services; *provided, however,* that no compensation so allowed shall affect the salary of the prosecutor or assistant prosecutors if any in said county.

Proviso.

Employ investigators.

In prosecuting such criminal business, the Attorney-General shall have power to employ such investigators, clerical and other assistants and to incur such expenses as he shall determine, and the cost thereof, including the compensation allowed

as aforesaid of any deputy or assistant attorneys-general who shall be employed or designated by the Attorney-General for that special purpose in addition to those regularly employed in the Department of Law, shall likewise be paid by the treasurer of the county when certified and fixed in the same manner.

C. 52:17A-6. Legal assistant.

6. The Attorney-General may appoint as his legal assistants in the Department of Law deputy attorneys-general and assistant deputy attorneys-general who shall perform such duties as the Attorney-General shall from time to time designate. The Attorney-General may also appoint necessary clerks and employees and fix their compensation.

C. 52:17A-7. Term of office.

7. Deputy attorneys-general in the Department of Law shall hold their offices at the pleasure of the Attorney-General and shall receive such salaries as he shall from time to time designate.

C. 52:17A-8. Appointment by Attorney-General.

8. Assistant deputy attorneys-general of the Department of Law shall be appointed by the Attorney-General at his pleasure and, after three years' service in their positions, they shall hold their positions during efficiency and good behavior and shall not be removed therefrom except for good cause, and not because of religious or political opinions or affiliations, after a public, fair and impartial hearing before the Civil Service Commission.

Salaries.

They shall receive such salaries, not exceeding the sum of seventy-five hundred dollars ($7,500.00) per year, as the Attorney-General shall from time to time designate and shall devote their entire time to the performance of their duties in the Department of Law, and shall not engage in the private practice of law.

C. 52:17A-9. To act in official capacity.

9. No member of the Department of Law shall act as attorney or counsel in any controversy in which the State has an interest, except in his official capacity.

C. 52:17A-10. Compensation.

10. No member of the Department of Law shall receive any compensation, fees or costs in addition to his regular salary for or by reason of any serv-

ice performed by him for the State or for any political subdivision thereof except by allowance or appropriation by the Legislature, and any additional compensation, fees or costs so payable to or received by any member of the Department of Law, not so allowed or appropriated, shall be paid to the State Treasurer for the use of the State; but the provisions of this section shall not be construed to prevent the payment of compensation of any additional deputy attorney-general, who may be employed or designated by the Attorney-General solely to act in any county under section five of this act, by the county in which he is designated to act by the Attorney-General.

C. 52:17A-11. Not to employ person to act as attorney.

11. No officer, department, board, body, commission or instrumentality of the State Government shall employ any person to act as attorney, counsel, solicitor, legal assistant or other legal adviser to such officer, department, board, body, commission or instrumentality. Nor shall such officer, department, board, body, commission or instrumentality of the State Government employ any person in any legal capacity for the purpose of giving legal advice or rendering legal services, but such officer, department, board, body, commission or instrumentality may employ an attorney-at-law under full-time employment solely in the performance of administrative functions entailing the hearing of issues and determining facts in order that the said officer, department, board, body, commission or instrumentality may perform his or its functions as required by law; *provided, however,* that no such attorney shall act in a legal capacity in the prosecution of any charge or complaint before any such officer, department, board, body, commission or instrumentality.

Proviso.

C. 52:17A-12. Attorney-General may assign.

12. The Attorney-General may assign a deputy attorney-general or an assistant deputy attorney-general to serve in any legal capacity in or for any officer, department, board, body, commission or instrumentality of the State Government on a part-time or full-time basis whenever, in the judg-

ment of the Attorney-General, such assignment will contribute to the efficiency of the operation of such office, department, board, body, commission or instrumentality, but such member of the Department of Law shall remain under the supervision and control of the Attorney-General while so serving and his compensation shall be payable solely from appropriations made to the Department of Law.

C. 52:17A-13. Special counsel.

13. No special counsel shall be employed for the State or for or by any officer, department, board, body, commission or instrumentality of the State Government except by authority of the Attorney-General, and then only with the approval of the Governor, and provided that appropriations have been made therefor, unless the matter be of such an emergency and shall be so declared by the Governor.

C. 52:17A-14. Annual reports.

14. The Attorney-General shall make an annual detailed report to the Governor and the Legislature of the performance of his duties and the operations of the Department of Law and shall make such other reports to the Governor and the Legislature as the Governor or the Legislature may require from time to time.

C. 52:17A-15. Annual reports.

15. The prosecutors of the pleas of the various counties shall make annual reports to the Attorney-General of the performance of their duties and the operations of their offices and shall make such other reports to the Attorney-General as the Attorney-General may require from time to time.

C. 52:17A-16. Abolishing.

16. The Department of the Attorney-General heretofore existing and the offices and positions of assistant attorneys-general, legal assistants to the Attorney-General, special counsel or legal counsel to or by appointment of or under the Attorney-General hereby are abolished, and all other employees of the Department of the Attorney-General hereby are transferred to the Department of Law and shall serve in appropriate similar positions in said department and shall retain all of their rights and privileges under Title 11, Civil Service, of the Revised Statutes.

Transferred to department of law.

C. 52:17A-17. Abolished.

17. All offices and positions of attorneys, counsel, solicitors, or other legal advisers to any officer, department, board, body, commission or instrumentality of the State Government hereby are abolished, except such offices or positions in which the incumbents are employed, under full-time employment, solely in the performance of administrative functions entailing the enforcement, prosecution and hearing of issues as imposed by law upon such officer, department, board, body, commission or instrumentality; *provided, however,* that all boards, bodies, commissions, agencies or public corporate instrumentalities of this State created by compact or agreement with a commonwealth or another State are excluded from the provisions and the effect of this act.

Proviso.

C. 52:17A-18. Books and documents transferred.

18. The offices and quarters heretofore occupied by the Department of the Attorney-General and all books, papers, documents and other property of the Department of the Attorney-General hereby are transferred to the Department of Law as of the date upon which this act becomes effective.

C. 52:17A-19. Moneys appropriated transferred.

19. All moneys appropriated at the time this act becomes effective to the Attorney-General or to any officer, department, board, body, commission or instrumentality of the State Government for the compensation and expenses of attorneys, counsel, solicitors or other legal advisers to such officer, department, board, body, commission or instrumentality, whose offices or positions are abolished by this act, shall be transferred and made available to the Department of Law as of said date or as and when such appropriation shall become available. Until appropriations may become available for the next fiscal year, there is hereby appropriated the additional sum of fourteen thousand dollars ($14,000.00) for the payment of the salaries of the Attorney-General as fixed herein and his deputies and assistants as fixed by him, and also the expenses of the Attorney-General, his deputies and assistants.

Additional sums appropriated.

C. 52:17A-20. Repealer.

20. Chapter seventeen of Title 52 of the Revised Statutes and "An act concerning the State Highway Department," approved May twenty-fourth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 75); "An act concerning the legal assistants to the Attorney-General," approved June twenty-seventh, one thousand nine hundred and thirty-nine (P. L. 1939, c. 101); "A supplement to an act entitled 'An act to define the duties and fix the salary of the Attorney-General,' approved February twenty-fourth, one thousand eight hundred and fifty-four," approved March twenty-fifth, one thousand nine hundred and thirteen (P. L. 1913, c. 139); "An act to amend an act entitled 'A supplement to an act entitled "An act to define the duties and fix the salary of the Attorney-General," approved February twenty-fourth, one thousand eight hundred and fifty-four,' which said supplement was approved March twenty-fifth, one thousand nine hundred and thirteen," approved March fourth, one thousand nine hundred and eighteen (P. L. 1918, c. 234), are repealed.

21. This act shall take effect immediately.

Approved March 7, 1944.

CHAPTER 21

AN ACT concerning wills, and supplementing chapter two of Title 3 of the Revised Statutes.

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

C. 3:2-24.1. Will admitted to probate.

1. When no subscribing witness to the will of a resident of this State, who has died or shall die while a member of the armed forces of the United States or within two years from the date of his discharge from such armed forces, is available in this State to prove such will, whether because of

death, incapacity, nonresidence, absence, or any other reason, such will shall be admitted to probate upon proof of the signature of the testator by any two persons provided the will has an attestation clause followed by what purports to be the signatures of at least two subscribing witnesses to said will; *and provided further,* that such will would be admitted to probate upon the proof of the signatures of the subscribing witnesses in case the subscribing witnesses were all dead. Proviso.

C. 3:2-24.2. Not competent witness.

2. No person to whom a beneficial estate, interest, gift or appointment is given or made by such will shall be a competent witness to prove the signature of the testator, under the provisions of this act.

C. 3:2-24.3. Guilty of misdemeanor.

3. Any person, who acts as a witness to prove the signature of the testator under the provisions of this act, who, in any manner or under any color or pretense whatsoever, demands, receives or accepts from any person any satisfaction or compensation, over and above a reasonable amount to compensate him for the time and the expense involved, for so testifying, shall be guilty of a misdemeanor.

C. 3:2-24.4. Additional method of probate.

4. This act is intended to provide an additional method of probate of wills in certain cases and shall not be construed to limit or exclude any other method.

5. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 22

AN ACT concerning savings banks, and amending section 17:6–72 and 17:6–74 of the Revised Statutes.

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

Section amended.

1. Section 17:6–72 of the Revised Statutes is amended to read as follows:

Savings banks may merge.

17:6–72. Any two savings banks of this State located in the same county may merge or consolidate into a single savings bank, which may be either one of the merging savings banks or a new bank to be formed by the consolidation, in the following manner:

Agreement to specify banks.

The respective boards of managers of the savings banks may, by a vote of two-thirds of all the members of each board, make or authorize to be made by the banks a joint agreement for their merger or consolidation, or may, from time to time prior to the final approval of the joint agreement by the commissioner, modify the terms and provisions of the joint agreement by a similar vote. The agreement shall specify the savings banks to be merged or consolidated, the terms and conditions thereof, the mode of carrying it into effect, the name of the merged or consolidated bank, which may be the name of either savings bank party to the agreement, the period, if any, limited for the duration of the merged or consolidated savings bank, the number which may exceed fifteen, and the names and places of residence in this State of the persons who shall constitute the board of managers of the merged or consolidated savings bank after the merger or consolidation has been effected, and the names and places of residence of the persons who shall constitute the officers of the merged or consolidated savings bank after the merger or con-

solidation has been effected, which managers and officers shall hold their respective offices until their successors are elected or appointed. The agreement may (a) fix a time subsequent to the approval of the merger or consolidation by the commissioner at which the merger or consolidation shall become effective, (b) provide that the by-laws of either of the merging or consolidating savings banks shall constitute the by-laws of the merged or consolidated savings bank, or provide for the adoption of by-laws by the merged or consolidated savings bank, (c) may fix a time at which the first meeting of the board of managers of the merged or consolidated savings bank shall be held or provide for notice thereof, and (d) contain such other provisions as may be necessary or proper for perfecting the merger or consolidation.

Effective date.

2. Section 17:6–74 of the Revised Statutes is amended to read as follows:

Section amended.

17:6–74. The joint agreement shall be submitted to the commissioner for his approval, and, if, in its original or modified form, it is approved in writing by him, he shall file it, with his written approval, in his office, whereupon it shall take effect in accordance with its terms and provisions and at the time fixed therein, or, if no time is so fixed, then upon the filing. The joint agreement, and any modifications thereof, after adoption by the respective boards of managers of the merging or consolidating savings banks, or copies thereof, shall be open to the inspection of depositors and other parties in interest at the offices of each of the savings banks. Notice of the adoption thereof, or of any modifications thereof, shall be published within ten days after the adoption, or of the modification, as the case may be, at least once in two newspapers circulating within the municipalities in which the savings banks are located, or if there is no such newspaper, in one published and circulating in the nearest locality, and a similar notice shall be posted in the office of each savings bank. Within five days after the filing of the agreement, approved by the

Agreement submitted.

Agreement open to inspection.

Notice published.

commissioner, in his office, a notice of the approval thereof shall be similarly published and posted, and a copy of the agreement and written approval, certified by the commissioner, shall be filed in the office of the clerk of the county in which the savings banks are located and be recorded by the clerk.

Copy filed.

3. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 23

AN ACT concerning criminal judicial district courts, and amending section 2:212–6 of the Revised Statutes.

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

Section amended.

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

Member of bar.

2:212–6. The judge of each criminal judicial district court shall be a member of the bar of New Jersey, and shall reside in the county in which the court or courts, to the judgeship of which he is to be appointed, is or are established. Each judge shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years, and until his successor is appointed and qualified. Vacancies, by reason of resignation, death, removal or otherwise, shall be filled in the same manner for the unexpired term only. Nothing herein contained shall affect the unexpired terms of judges of criminal judicial district courts heretofore appointed or elected.

Appointed by Governor.

Equal representation.

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

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 24

AN ACT concerning taxation, and amending sections 54:4–3.3 and 54:4–3.5 of the Revised Statutes.

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

1. Section 54:4–3.3 of the Revised Statutes is amended to read as follows: Section amended.

54:4–3.3. Except as otherwise provided by article one of this chapter (54:4–1 et seq.), the property of the State of New Jersey; and the property of the respective counties, school districts and taxing districts, when located therein and used for public purposes, or for the preservation or exhibit of historical data, records or property shall be exempt from taxation under this chapter, but this exemption shall not include real property bought in for debts or on foreclosure of mortgages given to secure loans out of public funds or out of money in court, which property shall be taxed unless devoted to public uses. The lands of counties, municipalities, and other municipal and public agencies of this State used for the purpose and for the protection of a public water supply, shall be subject to taxation by the respective taxing districts where situated, at the true value thereof, without regard to any buildings or other improvements thereon, in the same manner and to the same extent as the lands of private persons, but all other property so used shall be exempt from taxation. Exempt from taxation. Subject to taxation.

Property, the title to which is in the Morris Canal and Banking Company, in trust for the State, shall, so long as the title is so vested, be deemed to be the property of the State within the meaning of any tax law. Property of the State.

Section amended.

2. Section 54:4–3.5 of the Revised Statutes is amended to read as follows:

Exempt from taxation.

54:4–3.5. Real estate or personal property owned and used for military purposes by any organization under the jurisdiction of this State, shall be exempt from taxation under this chapter on condition that all income derived from the property above the expense of its maintenance and repair shall be used exclusively for such military purposes; and any building, real estate or personal property used by an organization composed entirely of veterans of any war of the United States shall be exempt from taxation under this chapter.

3. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 25

AN ACT concerning banks, trust companies and savings banks having shares of capital stock, amending section 17:8–1 of the Revised Statutes and validating and confirming amendments to charters or certificates of incorporation of banks and trust companies in certain cases.

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

Section amended.

1. Section 17:8–1 of the Revised Statutes is amended to read as follows:

May issue one or more classes of preferred stock.

17:8–1. Any State bank or trust company now or hereafter incorporated or existing under any law of the State of New Jersey and any savings bank, incorporated or existing under any general or special act of this State, now or hereafter authorized to and which heretofore has issued or may hereafter issue shares of capital stock (herein sometimes termed "institutions") is hereby au-

thorized, subject to the approval of the commissioner, upon the incorporation thereof, or from time to time by amending its charter or certificate of incorporation, to provide for the issuance of one or more classes of preferred stock and for the increase, decrease, retirement or conversion of any class of preferred stock now or hereafter issued. Notwithstanding any other provision of law, or any provision contained in the charter of any such institution heretofore organized, the holders of such preferred stock shall not be held individually responsible as such holders for any debts, contracts or engagements of such institution and neither such preferred stock nor the holders thereof shall be liable for assessments to restore impairments in the capital stock of such institutions.

Not individually liable.

Notwithstanding any other provisions of law, the par value per share of preferred stock or common stock of any such institution may be fixed or continued at not less than one dollar ($1.00) per share.

Par value per share may be fixed.

2. Any action heretofore taken by the board of directors of any State bank or trust company incorporated or existing under any law of the State of New Jersey, declaring it to be advisable that its charter or certificate of incorporation should be amended by increasing either the number of shares of its capital stock or the amount of its capital stock, or both, and fixing, or continuing as theretofore, the par value of its common stock at not less than the sum of one dollar ($1.00) per share, and calling a meeting of the stockholders to take action thereon, and any action of the stockholders taken at such meeting in favor of such amendment or amendments, by a vote of the holders of not less than two-thirds of all the common and preferred stock of such institution outstanding and all proceedings incidental to such actions, are hereby ratified, confirmed and approved as valid and effective, and the Commissioner of Banking and Insurance of this State is hereby authorized and empowered to accept, approve, and file the certificate of any such institution required by Revised Statutes, sec-

Action heretofore taken by board of directors.

Two-thirds vote.

Approval of certificate.

tion 17:4–73, setting forth such action by its directors and stockholders and the written assents of not less than two-thirds in interest of such stockholders required by Revised Statutes, section 17:4–73, and thereupon the charter or certificate of incorporation shall be and be deemed to be amended accordingly.

3. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 26

AN ACT to amend the uniform narcotic drug law by amending section 24:18–2 of the Revised Statutes.

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

Section amended.

1. Section 24:18–2 of the Revised Statutes is amended to read as follows:

Words and phrases.

24:18–2. The following words and phrases as used in this chapter shall have the following meanings unless the context otherwise requires:

a. "Narcotic drugs" means coca leaves, opium, marihuana, isonipecaine and every substance not chemically distinguishable from them.

Term "marihuana."

(1) The term "marihuana" means all parts of the plant Cannabis Sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fibre produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, deriv-

ative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fibre, oil, or cake or the sterilized seed of such plant which is incapable of germination.

(2) "Opium" includes morphine, codeine and heroin and any compound, manufacture, salt, derivative, mixture, or preparation of opium. Opium.

(3) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine or substance from which cocaine or ecgonine may be synthesized or made. Coca leaves.

(4) "Isonipecaine" means the substance identified chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester, or any salt thereof by whatever trade name identified. Isonipecaine.

b. "Dentist" means any person authorized by law to practice dentistry in this State. Dentist.

c. "Dispense" includes distribute, leave with, give away, dispose of or deliver. Dispense.

d. "Federal narcotic law" means the laws of the United States relating to opium, coca leaves and other narcotic drugs. Federal narcotic law.

e. "Hospital" means an institution for the care and treatment of the sick and injured, approved by the State Department of Institutions and Agencies as proper to be intrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist or veterinarian. Hospital.

f. "Laboratory" means a laboratory to be intrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific, experimental and medical purposes and for purposes of instruction approved by the State Department of Health. Laboratory.

g. "Manufacturer" means a person who by compounding, mixing, cultivating, growing or other process produces or prepares narcotic drugs, but does not include a pharmacist who compounds Manufacturer.

narcotic drugs to be sold or dispensed on prescription.

Official written order. h. "Official written order" means an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by Federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Department of Health.

Person. i. "Person" includes any corporation, association, copartnership or one or more individuals.

Pharmacist. j. "Pharmacist" means a registered pharmacist of this State.

Pharmacy owner. k. "Pharmacy owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a registered pharmacist; but nothing in this chapter contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.

Physician. l. "Physician" means any person authorized by law to practice medicine in this State and any other person authorized by law to treat sick and injured human beings in this State and to use narcotic drugs in connection with such treatment.

Registry number. m. "Registry number" means the number assigned to each person registered under the Federal narcotic laws.

Sale. n. "Sale" includes barter, exchange or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee.

Veterinarian. o. "Veterinarian" means any person authorized by law to practice veterinary medicine in this State.

Wholesaler. p. "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written order, but not on prescription.

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 27

AN ACT concerning insurance, regulating the making and applying of insurance rates, and providing for the licensing of rating organizations, and repealing section 17:29–1, 17:29–2, 17:29–3, 17:29–4, 17:29–5, 17:29–6, 17:29–8 and 17:29–9 of the Revised Statutes.

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

1. As used in this act, C. 17:29A-1.

(a) "Rate" means the unit charge by which the measure of exposure or the amount of insurance specified in a policy of insurance or covered thereunder is multiplied to determine the premium. Rate.

(b) "Premium" means the consideration paid or to be paid to an insurer for the issuance and delivery of any binder or policy of insurance. Premium.

(c) "Rate-making" means the examination and analysis of every factor and influence related to and bearing upon the hazard and risk made the subject of insurance; the collection and collation of such factors and influences into rating systems; and the application of such rating-systems to individual risks. Rate-making.

(d) "Rating-system" means every schedule, class, classification, rule, guide, standard, manual, table, rating-plan, or compilation by whatever name described, containing the rates used by any rating organization or by any insurer, or used by any insurer or by any rating organization in determining or ascertaining a rate. Rating-system.

(e) "Policy of insurance," without otherwise limiting its meaning, shall include guaranty and surety bonds. Policy of insurance.

(f) "Rating organization" means every person or persons, corporation, partnership, company, society, or association engaged in the business of rate-making for two or more insurers. Rating organization.

Insurer.

(g) "Insurer" means any person or persons, corporation, association, partnership or company authorized by the laws of this State to transact the business of insurance in this State.

Commissioner.

(h) "Commissioner" means the Commissioner of Banking and Insurance of New Jersey.

Risk.

(i) "Risk," as the context may require, means, (1) as to fire insurance or any other kind of insurance which, by law, may be embraced in a policy of fire insurance as part thereof or as supplemental thereto, any property, real or personal, described in a policy, exposed to any hazard or peril named in such policy; and (2) as to all other kinds of insurance not specifically included in subsection (i) (1) of this section, the hazard or peril named in a policy of insurance.

C. 17:29A-2. License.

2. No rating organization shall do business in this State until it shall have been licensed to do so by the commissioner. Application for such license shall be made on such forms as the commissioner shall prepare for that purpose. Upon applying for such license, every rating organization shall file with the commissioner (1) a copy of its constitution, its articles of agreement or association, or its certificate of incorporation, and of its by-laws or rules governing the conduct of its business, or such of the foregoing, if any, as such rating organization may have; (2) a list of insurers who are or who have agreed to become members of or subscribers to such rating organization; (3) the name and address of a person or persons in this State upon whom notices, or orders of the commissioner affecting such rating organization may be served; and (4) such other information as the commissioner may require. If the commissioner finds that the applicant for license (a) has complied with the provisions of this act; (b) is equipped with an adequate staff of experts and clerks qualified in rate-making; and (c) is otherwise qualified to function as a rating organization, he shall issue a license to such rating organization authorizing it to engage in rate-making for the

List of insurers.

Name and address of person.

Issuance of license.

kinds of insurance specified in such license. If the commissioner shall determine that the applicant is not entitled to a license, he shall make an order denying its application, specifying his reasons for such denial. Licenses issued pursuant to this section shall remain in effect until suspended in the manner provided by this act. Every rating organization doing business in this State on the effective date of this act, may continue to transact such business thereafter, subject to the provisions of this act, pending its application to the commissioner, to be made within thirty days after the effective date of this act, for a license to do business as required by this section. A fee of twenty-five dollars ($25.00) shall be paid for each license issued under this section.

Order denying application.

Fee.

3. Every rating organization shall make reasonable provision in its by-laws, rules, constitution, or otherwise, to permit any insurer engaged in the kind of insurance for which rate-making is done by such rating organization, to become a member or subscriber thereof, upon application therefor by such insurer. No insurer shall be a member of or a subscriber to more than one rating organization for the purpose of making rates for the same kind of insurance. No insurer shall use rates or rating-systems made by a rating organization of which it is not a member or subscriber, or by another insurer. No rating organization shall discriminate unfairly between insurers in the condition imposed for admission as subscribers, or in the services rendered to either members or subscribers. The refusal of any rating organization to admit an insurer as a subscriber shall, at the request of such insurer, be reviewed by the commissioner at a hearing held upon at least ten days' notice to such rating organization and such insurer. If the commissioner shall find that the insurer has been refused admittance to such rating organization as a subscriber without justification, he shall make an order directing such rating organization to admit such insurer as a subscriber. If he shall find that the action of the

C. 17:29A-3. Member or subscriber.

Refusal to admit.

rating organization in refusing admittance to an insurer as a subscriber is justified, he shall make an order affirming its action.

C. 17:29A-4. Make rates.

4. Every rating organization, and every insurer which makes its own rates, shall make rates that are not unreasonably high or inadequate for the safety and soundness of the insurer, and which do not unfairly discriminate between risks in this State involving essentially the same hazards and expense elements, and shall, in rate-making, and in making rating-systems

Classifications.

(a) adopt basic classifications, which shall be used as the basis of all manual, minimum, class, schedule, experience or merit rates;

Adopt standards.

(b) adopt reasonable standards for construction, for protective facilities, and for other conditions that materially affect the hazard or peril, which shall be applied in the determination or fixing of rates;

Loss experience.

(c) give consideration to past and prospective loss experience, including where pertinent, the conflagration and catastrophe hazards, if any, both within and without the State; to all factors reasonably related to the kind of insurance involved; to a reasonable profit for the insurer; and, in the case of participating insurers, to policyholders' dividends. In the case of fire insurance, consideration shall be given to the latest available experience of the fire insurance business during a period of not less than five years preceding the year in which rates are made or revised.

C. 17:29A-5. File statistical report.

5. Every insurer shall file annually with the rating organization of which it is a member or subscriber, or with such other agency as the commissioner may approve at the request of such rating organization, or with the commissioner, if such insurer is not a member or a subscriber of a rating organization, a statistical report showing a classification schedule of its premiums and its losses on all kinds of insurance to which this act is applicable, together with such other information as the commissioner may deem necessary for the proper

determination of the reasonableness and adequacy of rates. A mutual fire insurance company which confines its business chiefly to the insurance of sprinklered risks and which pays no commissions or brokerage for the acquisition of business, shall be deemed to comply with the provisions of this section if it files its statistical reports of premium deposits and losses on the basis of comprehensive coverage.

C. 17:29A-6. File copy of rating-system.

6. Beginning with the sixtieth day after this act takes effect, every insurer shall, before using or applying any rate to any kind of insurance, file with the commissioner a copy of the rating-system upon which such rate is based, or by which such rate is fixed or determined. The filing herein required may, on written notice by an insurer to the commissioner, be made on behalf of such insurer, by a rating organization of which such insurer is a member or subscriber. The provisions of this section shall be deemed to have been complied with by any insurer which had, before the effective date of this act, directly or by a rating organization of which it is a member or subscriber, or by a designated agent or expert, filed with the commissioner a rating-system, substantially in the form required by this section to be filed. From and after the date of the filing of such rating-systems, every insurer shall charge and receive rates fixed or determined in strict conformity therewith, except as in this act otherwise expressly provided.

C. 17:29A-7. Order directing rating-systems be altered.

7. If, after examination thereof, the commissioner shall find that such rating-systems filed by or on behalf of an insurer provide for, result in, or produce rates that are unreasonably high or excessive, or are not adequate for the safeness and soundness of the insurer, or are unfairly discriminatory between risks in this State involving essentially the same hazards and expense elements, he shall issue an order to such insurer, or to the rating organization of which such insurer is a member or subscriber, directing that such rating-

systems be altered in the manner and to the extent stated in such order, to produce rates that are reasonable and adequate, and not unfairly discriminatory. If the commissioner shall find that such rating-systems provide for, result in, or produce rates that are not unreasonably high, and are not inadequate for the safeness and soundness of the insurer, and are not unfairly discriminatory between risks in this State involving essentially the same hazards and expense elements, he shall approve such rates, and such approval shall continue in effect until the commissioner shall, by order, direct that such rating-systems be changed or modified, as in this section provided. If the commissioner shall fail to approve or disapprove any rating-systems within ninety days from the filing thereof such rating-systems shall be deemed to be approved by him. Whenever the commissioner shall find that rating-systems theretofore approved by him provide for, result in, or produce rates which are unreasonable, or inadequate, or which discriminate unfairly between risks in this State involving essentially the same hazards and expense elements, he shall issue an order to all insurers employing such rating-systems, or to the rating organizations of which such insurers are members or subscribers, directing that such rating-systems be altered or revised in the manner and to the extent stated in such order to provide for, result in, or produce rates which are reasonable, adequate, and do not discriminate unfairly between risks in this State involving essentially the same hazards and expense elements. Rating-systems filed with the commissioner on or before the effective date of this act pursuant to the provisions of this section, shall be deemed to have been approved by the commissioner, such approval to continue in effect until the commissioner shall, by order, direct that such rating-system be altered or modified as in this section provided.

Rating-systems to be altered.

C. 17:29A-8. Furnish information.

8. Every rating organization, and every insurer which does its own rate-making shall, within ten

days after written request therefor, and upon payment to it of such reasonable charge as such rating organization or such insurer shall make therefor, furnish to any person affected by any rate made by it, or to the authorized representative of such person, full information as to such rate, including the schedule or schedules, if any, pursuant to which such rate was made.

C. 17:29A-9. Application to reduce rate.

9. Every rating organization, and every insurer which does its own rate-making, shall provide reasonable means within this State, to be approved by the commissioner, whereby any person or persons affected by a rate made by it may be heard, on an application to reduce such rate. If such rating organization or such insurer shall refuse to reduce such rate, the person or persons affected thereby may make a like application to the commissioner within thirty days after receipt of notice in writing that the application for reduction of rate has been denied by such rating organization or by such insurer. If, upon the expiration of twenty days after application for the reduction of a rate, such rating organization or such insurer fails to grant or reject the application, the person or persons affected may make the application to the commissioner in the same manner as if the application had been rejected by such rating organization or by such insurer. The commissioner shall fix a time and place for hearing on such application, upon not less than ten days' notice, for the applicant and such rating organization or such insurer to be heard. The commissioner shall make such order as he shall deem just and lawful upon the evidence placed before him at such hearing.

Commissioner to fix time.

C. 17:29A-10. Commissioner to give notice.

10. Any insurer may apply to the commissioner for leave to effect a uniform percentage decrease or increase in the rates applied by it to a particular kind or kinds of insurance. Upon the filing of such application, the commissioner shall give notice thereof to the rating organization, if any, of which such insurer is a member or subscriber, and shall fix a time and place for a hearing upon

the merits of such application. At such hearing, such insurer and such rating organization, or their representatives, shall be entitled to be heard and to present evidence in support of or against such application. The commissioner shall, upon the conclusion of such hearing, make such order as he shall deem consistent with the establishment and maintenance of reasonable, adequate, and nondiscriminatory rates. If the commissioner shall find that such increase or decrease will result in rates that are unreasonable, inadequate, or unfairly discriminatory, he shall make an order denying the application.

C. 17:29A-11. Avail services of experts.

11. In every case where, pursuant to the provisions of this act, the commissioner is authorized or required to determine whether rates are reasonable and adequate, and not unfairly discriminatory, he may avail himself of the services of such experts as he may deem necessary or advisable for that purpose. In making such determination, the commissioner shall consider the factors applied by insurers and rating organizations generally in determining the bases for rates; the financial condition of the insurer; the method of operation of such insurer; the loss experience of the insurer, past and prospective, including where pertinent, the conflagration and catastrophe hazards, if any, both within and without this State; to all factors reasonably related to the kind of insurance involved; to a reasonable profit for the insurer, and, in the case of participating insurers, to policyholders' dividends. In the case of fire insurance, he shall consider the latest available experience of the fire insurance business during a period of not less than five years preceding the year in which such rates are reviewed by him.

C. 17:29A-12. Examination.

12. The commissioner may, whenever he deems it expedient, but at least once in every five years, make or cause to be made an examination of the business, affairs, and methods of operation of every rating organization doing business in this State. The reasonable costs of such examination shall

be determined and fixed by the commissioner, and shall be paid by the rating organization examined upon presentation to it of a detailed account of such cost. The commissioner may, in his discretion, waive such examination upon proof that such rating organization has, within a reasonably recent period, been examined by a public official or department of another State, pursuant to the laws of such State, and upon the filing with the commissioner of a copy of the report of such examination. The officers, managers, agents, and employees of such rating organization shall exhibit all its books, records, documents, or agreements governing its method of operation, its rating systems, and its accounts for the purpose of such examination. The commissioner may, for the purpose of facilitating and furthering such examination, examine, under oath, the officers, managers, agents, and employees of such rating organization.

Report filed.

C. 17:29A-13. Withdrawal of member.

13. Every rating organization shall notify the commissioner promptly upon the withdrawal or expulsion therefrom of any member or subscriber. No rating organization shall expel or otherwise exclude a subscriber except upon the refusal or failure of such subscriber to pay such rating organization the subscribership fee agreed upon. A rating organization shall readmit such insurer as a subscriber upon payment to it of any delinquent charges. No insurer shall, after expulsion or withdrawal from a rating organization, use any rate or any rating-system made by such rating organization during the period that such expulsion or withdrawal continues.

C. 17:29A-14. May amend rating-systems.

14. A rating organization, or any insurer making its own rates, may, from time to time, alter, supplement, or amend its rating-systems, or any part thereof, by filing with the commissioner copies of such alterations, supplements, or amendments together with a statement of the reason or reasons for such alteration, supplement, or amendment. If such alteration, supplement or amendment shall have the effect of increasing or decreasing rates,

the commissioner shall determine whether the rates as altered thereby are reasonable, adequate, and not unfairly discriminatory. If the commissioner shall determine that the rates as so altered are not unreasonably high, or inadequate, or unfairly discriminatory, he shall make an order approving them. If he shall find that the rates as altered are unreasonable, inadequate, or unfairly discriminatory, he shall issue an order disapproving such alteration, supplement or amendment.

C. 17:29A-15. Premium.

15. No insurer or employee thereof, and no broker or agent shall knowingly charge, demand or receive a premium for any policy of insurance except in accordance with the respective rating-systems on file with and approved by the commissioner. No insurer, or employee thereof, and no broker or agent shall pay, allow, or give, or offer to pay, allow, or give, directly or indirectly, as an inducement to insurance, or after insurance has been effected, any rebate, discount, abatement, credit, or reduction of the premium named in a policy of insurance, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any valuable consideration or inducement whatever, not specified in the policy of insurance, except to the extent that such rebate, discount, abatement, credit, reduction, favor, advantage or consideration may be provided for in rating-systems filed by or on behalf of such insurer and approved by the commissioner. No insured named in a policy of insurance, nor any employee of such insured, shall knowingly receive or accept, directly or indirectly, any such rebate, discount, abatement, or reduction of premium, or any such special favor or advantage or valuable consideration or inducement. Nothing herein contained shall be construed as prohibiting the payment of commissions or other compensation to regularly appointed and licensed agents and to brokers duly licensed by this State.

C. 17:29A-16. False information.

16. No insurer, and no officer, agent, or employee thereof, shall give false or misleading information

to any rating organization of which it is a member or subscriber, or to the commissioner, which will in any manner affect the proper determination of reasonable, adequate, and nondiscriminatory rates.

C. 17:29A-17. Violation of law.

17. Any insurer which violates any provision of this act, or which fails to comply with the terms of any order made by the commissioner pursuant to the provisions of this act, shall be deemed to have violated the law within the meaning of section one of chapter thirty of Title 17 of the Revised Statutes.

C. 17:29A-18. Suspension of license.

18. Any rating organization which violates any provision of this act shall be subject to suspension of its license. Failure of a rating organization to comply with the provisions of any order of the commissioner within the time limited by such order, or any extension thereof as the commissioner may, in his discretion grant, shall, if no appeal has been taken from such order, automatically suspend the license of such rating organization. No order suspending a license because of a violation of any provision of this act shall be made by the commissioner, except upon ten days' notice to such rating organization, specifying the particular violation. If such rating organization shall make a request therefor in writing within the ten-day period, the commissioner shall name a time and place for a hearing, at which such rating organization shall be given opportunity to make its defense. At the conclusion of such hearing, the commissioner shall make such order as in his judgment the evidence shall warrant. A suspension of license shall be effective until modified or rescinded by order of the commissioner upon proof that the violation of the provisions of this act no longer continue, or upon proof that the rating organization has complied with the terms of any prior order made by the commissioner, or until the order of the commissioner upon which such suspension is based is reversed or modified upon an appeal therefrom.

C. 17:29A-19. Not to contribute to financial support.

19. No insurer shall contribute to the financial support of any rating organization with knowl-

edge that its license has been suspended and not reinstated.

C. 17:29A-20. Provisions of act applies to officers.

20. No rating organization shall conduct the business of rate-making during the period that its license has been suspended. The provisions of this section shall apply also to the officers, partners, or managers in charge of the business and affairs of such rating organization.

C. 17:29A-21. Guilty of Misdemeanor.

21. Any person, corporation, partnership or association which conducts the business of rate-making in this State for two or more insurers without having obtained a license therefor pursuant to the provisions of this act, shall be guilty of a misdemeanor.

C. 17:29A-22. Penalty.

22. Any person, partnership, association, corporation, insurer, or rating organization which shall willfully violate the provisions of this act shall be liable to a penalty in the sum of five hundred dollars ($500.00) for each such violation, to be recovered for the use of the State in an action brought in the name of the State by the commissioner in a court of competent jurisdiction.

C. 17:29A-23. Penalty.

23. In lieu of the penalty provided for in section twenty-two of this act, but in addition to any other penalty or forfeiture provided by this act, or otherwise provided by law, the commissioner may, if he finds that any person, partnership, association, corporation, insurer, or rating organization has willfully violated any provision of this act, impose a penalty of not less than twenty-five dollars ($25.00) and not more than five hundred dollars ($500.00) for each such violation. No such penalty shall be imposed, except upon at least ten days' written notice to such person, partnership, association, corporation, insurer, or rating organization, specifying the specific violation, and naming a date and place for a hearing on the violation so charged. If the commissioner shall find, upon the evidence placed before him at such hearing, that such person, partnership, association, corporation, insurer, or rating organization is guilty of any violation of the provisions of this act, he shall make an order

briefly stating his findings, and specifying the penalty imposed. The imposition of such a penalty shall, in the case of a licensed broker, or agent, or in the case of a rating organization, automatically suspend the license of such broker or agent or rating organization until such time as such penalty shall be paid. The commissioner may file in the office of the clerk of the Supreme Court, a certificate stating the amount of any penalty assessed pursuant to the provisions of this section, and the name of the person, partnership, association, corporation, insurer, or rating organization against which the penalty has been assessed, and thereupon the clerk of the Supreme Court shall enter upon his record of docketed judgments such certificate, or an abstract thereof, and shall duly index the same. From the time of such docketing, such certificate shall have the same force and effect as a judgment obtained in the Supreme Court, and the commissioner shall have all remedies and may take all the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in an action at law upon contract in said court.

Suspend license.

24. A review of any order made by the commissioner pursuant to the provisions of this act may be had in the Supreme Court upon a writ of certiorari. Application for such writ shall be made within thirty days after the making of such order by the commissioner. The allowance of the writ of certiorari by the Supreme Court shall, in the following cases, act as a stay of the provisions of such order:

C. 17:29A-24. Writ of certiorari.

(a) Where, pursuant to section two of this act, a rating organization, which was engaged in the business of rate making on the effective date of this act, has been refused a license by the commissioner. Such rating organization shall be entitled to continue to engage in business, subject to the provisions of this act, pending final disposition of its application for review;

Refused a license.

Change in rating-system.

(b) Where any order of the commissioner shall provide for a change in any rating-system which results in an increase or decrease in rates, any insurer affected thereby may, with leave of court, pending final disposition of the proceedings in the Supreme Court, continue to charge rates which obtained prior to such order, on condition that the difference in the rates be deposited in a special account by the insurer affected, to be held in trust by such insurer, and to be retained by the insurer or paid to the holders of policies issued after the order of the commissioner, as the court may determine.

In all other cases, the court shall determine, in its discretion, whether the allowance of the writ of certiorari shall operate as a stay of the commissioner's orders. The Supreme Court may, in disposing of the issues before it on any writ allowed pursuant to this section, modify or affirm or reverse the order of the commissioner in whole or in part.

C. 17:29A-25. Act not to apply.

25. The provisions of this act shall not apply to any policy on contract of reinsurance; any policy of insurance against loss or damage to or legal liability in connection with property located outside this State, or any motor vehicle or air craft principally garaged and used outside of this State, or any activity wholly carried on outside this State; marine insurance, which shall include inland marine insurance, other than insurance upon automobiles, airplanes, seaplanes, dirigibles or other air craft; marine protection and indemnity insurance; accident, health, or life insurance; annuities, title insurance; credit insurance; mortgage guaranty insurance; or workmen's compensation and employer's liability insurance. The provisions of this act shall not apply to hospital service or medical service corporations, investment companies, mutual benefit associations, or fraternal beneficiary associations.

C. 17:29A-26. May designate deputy commissioner.

26. Wherever, under the provisions of this act, the commissioner is authorized or required to do any act, he may designate a deputy commissioner, or any salaried employee of the Department of Banking and Insurance to act in his place and stead, who shall report to the commissioner and advise the commissioner on the nature of the matter delegated. The commissioner shall make such order, based upon such advice and report, as he shall, in his discretion, determine, and such order shall have the same force and effect as if the commissioner had acted thereon personally.

C. 17:29A-27. Acts repealed.

27. Sections 17:29–1, 17:29–2, 17:29–3, 17:29–4, 17:29–5, 17:29–6, 17:29–8, 17:29–9 of the Revised Statutes and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

C. 17:29A-28. Validity.

28. The invalidity of any part or section of this act shall not affect the validity of the remaining parts or sections.

29. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 28

AN ACT to abolish the court of the first criminal judicial district of the county of Bergen and the court of the second criminal judicial district of the county of Bergen, to provide for the completion of the affairs of said criminal judicial district courts and to repeal "An act to incorporate the first criminal judicial district of the county of Bergen," approved March twenty-ninth, one thousand nine hundred and twenty-six (P. L. 1926, c. 210), and to repeal "An act to incorporate the second criminal judicial district of the county of Bergen," approved March twenty-ninth, one thousand nine hundred and twenty-six (P. L. 1926, c. 211).

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

Courts abolished.

1. The court of the first criminal judicial district of the county of Bergen, created by chapter two hundred and ten of the laws of one thousand nine hundred and twenty-six, and the court of the second criminal judicial district of the county of Bergen, created by chapter two hundred and eleven of the laws of one thousand nine hundred and twenty-six, and all offices, positions and employments of said criminal judicial district courts are hereby abolished.

Powers and duties vested in.

2. All powers and duties of the said criminal judicial district courts shall be vested in and be executed by the court of the criminal judicial district of the county of Bergen for the purpose of completing all matters now pending and incompleted before said criminal judicial district courts, and all such matters shall be considered and determined and completed by the court of the criminal judicial district of Bergen county.

3. All books, records, supplies, equipment and other property in the possession or custody of criminal judicial district courts abolished by this act, or any of their officers or employees, shall be delivered to the court of the criminal judicial district of Bergen county immediately upon this act becoming effective. All books and records delivered to court.

4. All moneys appropriated or standing to the credit of the criminal judicial district courts abolished by this act are hereby appropriated and transferred to the credit of the court of the criminal judicial district of the county of Bergen. Moneys appropriated.

5. "An act to incorporate the first criminal judicial district of the county of Bergen," approved March twenty-ninth, one thousand nine hundred and twenty-six, and "An act to incorporate the second criminal judicial district of the county of Bergen," approved March twenty-ninth, one thousand nine hundred and twenty-six, are repealed. Acts repealed.

6. This act shall take effect March twenty-ninth, one thousand nine hundred and forty-four. Effective date.

Approved March 9, 1944.

CHAPTER 29

AN ACT vesting the title to real estate by which Estelle C. Jenkins died seized, and which alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and forty-two, in Ebberta C. Walker.

WHEREAS, Estelle C. Jenkins died August twenty-ninth, one thousand nine hundred and forty-two, intestate, a resident of the borough of Clayton, county of Gloucester and State of New Jersey, seized of an undivided one-half interest in a certain lot and dwelling situate in said borough of Clayton, county of Gloucester and State of New Preamble.

Jersey, devised to her, together with said Ebberta C. Walker, by the last will and testament of Samuel D. Walker, deceased, probated in the office of the surrogate of Gloucester county, and of record there in Book T of Wills, page 224, and more particularly described as follows:

All that certain lot, tract or parcel of land and premises situate in the borough of Clayton, in the county of Gloucester and State of New Jersey, bounded and described as follows, per magnetic courses of 1908:

Description of tract.

Beginning at a point in the center of the turnpike leading from Clayton to Malaga (known as Central avenue, now Delsea drive) and in the center of Walnut street, said point being the intersection of said road and street; thence (1) along the center of said Walnut street, south eighty-five degrees twenty-seven minutes west, four hundred eight and twenty-two hundredths feet to a corner to lands of Jesse R. Gant and wife; thence (2) along lands of Gant (passing over a stone twenty-five feet from the center of Walnut street) north four degrees thirty-three minutes west, two hundred six and five tenths feet to a stone corner in line of lands of Adrian Glerum; thence (3) along lands of Adrian Glerum, south eighty-eight degrees thirty-one minutes east, two hundred thirty-four and fifty hundredths feet to a point in the rear line of his other lot, which is located just north of the premises described herein; thence (4) along the rear line of said lot, south four degrees thirty-three minutes east, eighty-six and eighty-five hundredths feet to a stake for a corner; thence (5) continuing along the line of said Glerum's lot north eighty-five degrees twenty-seven minutes east, one hundred seventy-five feet to the center of Central avenue or Delsea drive aforesaid; thence (6) along the center line of said Central avenue south four degrees thirty-three minutes east, ninety-five feet to the point and place of beginning; and

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

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

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

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Estelle C. Jenkins, more particularly described in the preamble in this act, are hereby vested in Ebberta C. Walker, her heirs and assigns forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed. Title to vest in Ebberta C. Walker.

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

Approved March 9, 1944.

CHAPTER 30

AN ACT concerning banks and trust companies; authorizing the establishment and maintenance of branch offices or agencies in certain cases, and supplementing article one of chapter four of Title 17 of the Revised Statutes.

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

1. When application shall be made by any bank or trust company located in a county to establish and maintain a branch office or agency in any mu- Application to establish branch.

nicipality of the same county in which municipality a bank, savings bank, trust company or national banking association was in operation at any time since January first, one thousand nine hundred and thirty, but in which no such bank, savings bank, trust company or national banking association exists at the time of the application, and it shall appear to the commissioner that the establishment and maintenance of such branch office or agency will be of public service and will tend to re-establish and continue a banking business in the particular municipality, and the bank or trust company making the application shall have the capital required by section 17:4–14 of this Title, the commissioner may approve the application immediately and without notice and make it effective upon such date as he may fix and determine upon, any existing law or statute to the contrary notwithstanding.

Commissioner may approve application.

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 31

AN ACT concerning the appointment, term and qualifications of judges of the police court or city judges in cities of the second class in which such judges are required by law to be elected by the people.

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

C. 2:220-2.1. Judge appointed.

1. In all cities of the second class in which the judge of the police court or city judge is required by law to be elected by the people, such judge shall hereafter be appointed by the common council, or other governing body having charge of the finances, of such city.

2. Each such judge shall be a resident of said city and shall be a counsellor-at-law of the State of New Jersey and shall maintain his principal office for the practice of law in said city. C. 2:220-2.2. Counsellor-at-Law.

3. The common council or other governing body, as the case may be, shall, by ordinance, prescribe the term during which such judge shall hold office which shall not exceed five years and may limit the number of terms during which any person may serve as such judge and may provide such other qualifications for appointees to said office, not inconsistent with the provisions of this act, as it may determine. C. 2:220-2.3. Term.

4. This act shall take effect immediately, but any judge of the police court or city judge in office at the time this act takes effect shall continue in office until the expiration of the term for which he was elected or until a vacancy shall occur in said office prior to said time. C. 2:220-2.4. Effective date.

Approved March 9, 1944.

CHAPTER 32

AN ACT authorizing assistant prosecutors of the pleas to attend the sessions of the grand jury and render services therein, in certain counties, and amending section 2:182–15 of the Revised Statutes.

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

1. Section 2:182–15 of the Revised Statutes is amended to read as follows: Section amended.

2:182–15. In any county any of the assistant prosecutors of the pleas of such county may attend the sessions of the grand jury of such county, and render therein any service or perform any duty Assistant prosecutors attend sessions of grand jury.

that might be rendered or performed by the prosecutor of the pleas of such county if he were present.

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 33

AN ACT making an appropriation to the Joint Legislative Commission created by Assembly Concurrent Resolution No. 1, adopted January twenty-fifth, one thousand nine hundred and forty-three and reconstituted by Senate Concurrent Resolution No. 5, adopted January twenty-fourth, one thousand nine hundred and forty-four.

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

Appropriation.

1. There is appropriated the sum of two thousand five hundred dollars ($2,500.00) out of the General State Fund to the Joint Legislative Commission created by Assembly Concurrent Resolution No. 1, adopted January twenty-fifth, one thousand nine hundred and forty-three and reconstituted by Senate Concurrent Resolution No. 5, adopted January twenty-fourth, one thousand nine hundred and forty-four.

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 34

A SUPPLEMENT to "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and regulating the disbursement thereof," approved March twenty-seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 54).

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

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

D-9. DEPARTMENT OF LABOR.

Salaries:					Department of Labor.
Clerical employees	$2,250.00	D-9	D	d	
Materials and supplies:					
Office Equipment	2,732.00	D-9	D	i	
	$4,982.00				

2. This act shall take effect immediately.
Approved March 9, 1944.

CHAPTER 35

AN ACT concerning boroughs, and supplementing chapter eighty-eight of Title 40 of the Revised Statutes.

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

C. 40:88-10.1. Removal of snow.

1. The governing body of any borough may, at the expense of the borough, repair and maintain and provide for the removal of snow, ice and other obstructions from any roads or streets upon which the public travel is sufficient, in the opinion of said governing body, to warrant such expenditures, even though such roads or streets shall not have been taken over by said borough or dedicated and accepted as public highways.

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 36

AN ACT authorizing the recording of certain documents by copying them by photostatic, photographic or other mechanical process, and amending section 46:19–3 of the Revised Statutes.

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

Section amended.

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

Record in appropriate books.

46:19–3. The recording officer of each county shall record in the appropriate books, without delay, and in the order in which he shall receive them, every deed or conveyance or instrument mentioned

in section 46:19–1 of this Title, with the acknowledgments, proofs and certificates written on, or under, or annexed to the same, and the plats, surveys, schedules and other papers therein referred to and thereto annexed, by entering them word for word, in a legible manner, noting at the foot of each record all the interlineations and words visibly written on erasures, omitting, however, to enter in the record the erasures and obliterations, or by copying them by any photostatic, photographic or other mechanical process which produces a clear, accurate and permanent copy or reproduction of the original and in either case mentioning in the margin or at the foot of such record the day of the month and the year when the deed, conveyance or other instrument was delivered to him or brought to his office to be recorded.

Photostatic copy.

If two or more such deeds, conveyances or instruments of or affecting the same real estate or the same property shall be offered to or come to his hands, at one and the same time, to be recorded, he shall record the same according to the priorities of their dates.

Record according to priority of dates.

2. This act shall take effect immediately.

Approved March 9, 1944.

CHAPTER 37

AN ACT concerning the State Highway Department and adding an additional route to the State highway system.

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

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following described route:

Description of route.

Route No. ——. Beginning at the southerly terminus of Route No. 29 at the westerly city line of Trenton, extending southeasterly through Trenton and connecting with the existing State highway system southeast of Trenton.

Given an appropriate number.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

3. This act shall take effect immediately.

Approved March 10, 1944.

CHAPTER 38

AN ACT to amend "An act concerning motor vehicles, and supplementing chapter three of Title 39 of the Revised Statutes," approved April seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 98).

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

Section amended.

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

C. 39:3-11.5. Continue to exercise driving privilege.

1. Any person, who is the holder of a valid license to drive a motor vehicle at the time he or she enters the active military or naval service of the United States, may continue to exercise the driving privilege therein conferred until the expiration of one hundred eighty days after the termination of the present war, and/or for a period of three months from the date of his or her honorable discharge therefrom, without payment of any fee therefor to the Commissioner of Motor Vehicles; *provided, however,* no such person shall exercise said privilege except when attired in official military uniform.

Proviso.

2. This act shall take effect immediately.

Approved March 10, 1944.

CHAPTER 39

AN ACT to incorporate the criminal judicial district of the county of Bergen.

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

1. All of the county of Bergen in the State of New Jersey is hereby established and incorporated as the criminal judicial district of the county of Bergen and the provisions of subtitle seventeen of Title 2 of the Revised Statutes shall apply to the district hereby established so far as the same may be applicable. Criminal judicial district.

2. This act shall take effect March twenty-ninth, one thousand nine hundred and forty-four. Effective.

Approved March 10, 1944.

CHAPTER 40

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and regulating the disbursement thereof," approved April eighth, one thousand nine hundred and forty-three (P.L. 1943, c. 54).

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

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

public purposes herein specified, and shall be available for expenditure in the same manner as other appropriations made pursuant to the act to which this act is a supplement.

B. LEGISLATIVE

B1. LEGISLATURE

Compensation and expenses of officers and employees	$24,800.00
Incidental and contingent expenses of the Legislature including expenses incidental to and in connection with hearings on the revision of the Constitution	79,000.00
	$103,800.00

2. This act shall take effect immediately.

Approved March 10, 1944.

CHAPTER 41

AN ACT appropriating five thousand dollars ($5,000.00) to the State Treasurer for the purpose of paying incidental expenses heretofore or hereafter incurred in connection with proceedings concerning railroad taxation involving the State Treasurer.

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

Appropriation.

1. There is appropriated the sum of five thousand dollars ($5,000.00) to the State Treasurer for the purpose of paying incidental expenses heretofore or hereafter incurred in connection with proceedings concerning railroad taxation involving the State Treasurer.

2. This act shall take effect immediately.

Approved March 13, 1944.

CHAPTER 42

AN ACT making an additional appropriation to the Adjutant-General's Department for the purpose of carrying out the provisions of law with respect to absentee voting of residents of New Jersey serving in the armed forces of the United States.

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

1. There is hereby appropriated to the Adjutant-General's Department out of the general funds of this State the sum of thirty-five thousand dollars ($35,000.00) or so much thereof as may be necessary for the purpose of carrying out the provisions of law with respect to absentee voting of residents of New Jersey serving in the armed forces of the United States. Appropriation.

2. This act shall take effect immediately.

Approved March 24, 1944.

CHAPTER 43

AN ACT concerning unmanufactured horse manure.

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

1. Whenever unmanufactured horse manure is furnished, sold, or delivered in this State, such manure shall be only the natural product as the same is produced by horses in the stable, together with the straw bedding, without the intentional addition of water, any other manure, or any other foreign substance whatsoever. Natural product.

Adulterated.

2. For the purposes of this act, unmanufactured horse manure shall be deemed to be adulterated if it contains any water, intentionally or deliberately added, or if any other manure, or any other foreign substance is intentionally mixed therewith, whether such added water, manure, or other substance is added thereto, or becomes a part thereof, by permitting water or any other substance to flow or seep into, or otherwise become a part of such unmanufactured horse manure while standing in a manure pit or any other place.

Sell or offer for sale.

3. No person, copartnership, association, or corporation shall furnish, sell or offer for sale, or deliver in this State any unmanufactured horse manure that is adulterated as defined in this act.

Unmanufactured horse manure.

4. No person, copartnership, association, or corporation in connection with any sale, furnishing, or delivery of manure, shall represent the same as being unmanufactured horse manure if such manure is adulterated within the meaning of this act.

Unlawful.

5. Whenever any unmanufactured horse manure is or has been sold by weight, and the price to be paid therefor is to be fixed by weighing the same at any point within this State, it is unlawful for any person, copartnership, association, or corporation to deliver for weighing, or to cause or permit to be weighed, any unmanufactured horse manure to which has been added, intentionally, any water, any other manure, or any other substance whatsoever, which increases the weight of such unmanufactured horse manure.

No person to import.

6. No person, copartnership, association, or corporation shall import or bring into this State any manure for the purpose of sale or delivery in this State, which manure is adulterated within the meaning of this act.

Guilty of misdemeanor.

7. Any person, copartnership, association, or corporation who or which by himself or itself, or by his or its agents, servants, or employees, violates any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thou-

sand dollars ($1,000.00), or in the case of an individual, or the members of a partnership, or the responsible officers of an association or corporation to undergo imprisonment not exceeding six months, or both.

Enforcement.

8. It shall be the duty of the Department of Weights and Measures to enforce the provisions of this act, and in connection therewith, the department, its employees, or agents are authorized to enter any storehouse, warehouse, stable, railroad yard, railroad car, or any other building or place where unmanufactured horse manure is kept, stored, dealt in, or transported for delivery within this State. All fines and penalties, collected under the provisions of this act, shall be paid into the general fund of the State Treasury.

Validity.

9. The provisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Repealer.

10. All acts and parts of acts inconsistent herewith are hereby repealed.

11. This act shall take effect immediately.

Filed March 28, 1944.

CHAPTER 44

AN ACT concerning the appointment of the Commissioner of Motor Vehicles, and amending section 39:2–2 of the Revised Statutes.

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

Section amended.

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

Department administered by commissioner.

39:2–2. The department shall be administered by a commissioner of motor vehicles.

Appointment.

The Commissioner of Motor Vehicles shall be appointed by the Governor by and with the advice and consent of the Senate for a term of four years but he shall continue in office after the expiration of his term until his successor shall be appointed and shall qualify.

Salary.

The salary of the commissioner shall be ten thousand dollars ($10,000.00) per annum, to be paid semimonthly by the State Treasurer on the warrant of the Comptroller.

Bond.

The commissioner shall give bond, conditioned for the faithful discharge of his duties, in the sum of fifty thousand dollars ($50,000.00), which bond shall be approved by a justice of the Supreme Court, and shall be filed with the State Treasurer.

Oath.

The commissioner shall take an oath before one of the Supreme Court justices, in form similar to that now required by the State Treasurer, which oath shall be filed with the Secretary of State.

Vacancy.

Vacancies in the office of the commissioner shall be filled by the Governor by and with the advice and consent of the Senate for the unexpired term only.

Continue in office.

2. This act shall take effect immediately but the Commissioner of Motor Vehicles in office at the time this act takes effect shall continue in office until the expiration of his term of office on April first, one thousand nine hundred and forty-four.

Approved March 29, 1944.

CHAPTER 45

AN ACT to regulate elections, and amending section 19:32–1 of the Revised Statutes.

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

1. Section 19:32–1 of the Revised Statutes is amended to read as follows: Section amended.

19:32–1. The office of superintendent of elections in counties of the first class is established. The offices shall be filled by some suitable persons who shall be nominated by the Governor with the advice and consent of the Senate and who shall hold office for the term of five years from the date of appointment and until their successors are appointed and have qualified. Each superintendent shall receive a salary of five thousand dollars ($5,000.00) per annum to be paid by the county treasurer. The person so appointed shall have their offices in the counties for which they are appointed. Vacancies shall be filled in the same manner as original appointments, but shall be for the unexpired term only. Office established. Nominated by Governor. Salary. Vacancies.

2. This act shall take effect immediately.

Approved March 29, 1944.

CHAPTER 46

AN ACT concerning the payment of certain school moneys to the custodian of school moneys, and amending section 54:4–75 of the Revised Statutes.

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

Section amended.

1. Section 54:4–75 of the Revised Statutes is amended to read as follows:

Pay to custodian of school moneys.

54:4–75. The governing body of each municipality shall pay over to the custodian of school moneys, in the case of school districts in which appropriations for school purposes are made by the inhabitants of the school district, within forty days after the beginning of the school year, twenty per centum (20%) of the appropriation for local school purposes, and thereafter, but prior to the last day of the school year, the balance of the moneys raised in the municipality for school purposes in such amounts as may from time to time be requested by the board of education, within thirty days after each request. The board of education shall not request any more money at any one time than shall be required for its expenditures for a period of eight weeks in advance. The governing body may make payments of such moneys in advance of the time and in excess of the amounts required by this section.

Governing body may make payments.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 47

AN ACT to add an additional route to the State highway system.

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

Add to present State highway system.

1. The State Highway Commissioner shall, as soon as practicable and in accordance with the provisions set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the present State highway system the following-described route:

Description.

Route No. . Beginning at Fenton's Corner on State Highway Route No. 44 in the township of Lower Penns Neck and thence connecting with State Highway Route No. 48 at Roos' Corner in the township of Upper Penns Neck.

Appropriate number.

2. When this route is taken into the State highway system as provided in section one of this act, the State Highway Commissioner shall proceed to give the said route an appropriate number as provided by law.

3. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 48

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding eight hundred thousand inhabitants," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 160).

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

Section amended.

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

Effective date.

7. It is the intention of this act that the retirement system herein provided for shall on July first, one thousand nine hundred and forty-three, and thereafter, supersede and take the place of any county retirement system which shall be in operation in such county under and by virtue of the Revised Statutes, as follows:

County employees.

County employees in counties of the first class (article one of chapter ten of Title 43, of the Revised Statutes);

County detectives.

County detectives in counties of the first, second, third and fifth classes (article two of chapter ten of Title 43, of the Revised Statutes);

Probation officers.

Probation officers of counties of over eighty-three thousand inhabitants (article five of chapter ten of Title 43, of the Revised Statutes);

Sheriff's employees.

Sheriff's employees in counties of the first and second classes (article six of chapter ten of Title 43, of the Revised Statutes);

Sergeants-at-arms.

Sergeants-at-arms and court criers in counties of the first class (article seven of chapter ten of Title 43 of the Revised Statutes);

County superintendents of weights and measures and assistant superintendents of weights and measures ("An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June twenty-first, one thousand nine hundred and thirty-eight) (P. L. 1938, c. 397); County superintendents.

County park police in counties of more than two hundred thousand population (sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes); County park police.

and that such other county retirement systems shall be merged into and become part of the retirement system herein provided for and which shall be construed to be a continuation of such other county retirement systems; *provided, however,* that prior to such merger becoming effective, all such other county retirement systems shall be administered in accordance with the provisions of their respective statutes. If any of such other county retirement systems, created and maintained under and by virtue of said statutes, shall be in operation in any such county at the time of the adoption of this act, all moneys, appropriated and set aside by the board of chosen freeholders for pension purposes under such systems, securities and other assets of such other systems shall be transferred, on July first, one thousand nine hundred and forty-three, by the trustees of such systems, or the board of chosen freeholders, as the case may be, to the pension commission of the retirement system created by this act, which pension commission is hereby empowered to receive them, and the same shall become the property of and be placed in the retirement system herein provided for, and such other county retirement systems shall then cease to exist as separate retirement systems. If it shall not be possible or practicable for the trustees of any of such other county retirement systems to Merger.

Transfer of moneys.

transfer all moneys, securities and other assets of such systems to the said pension commission on July first, one thousand nine hundred and forty-three, all such moneys, securities and other assets shall be transferred to said pension commission as soon as possible and practicable after such day, and any such transfer shall be made as of such day.

Paid by pension commission.

All pensions and other benefits allowed prior to July first, one thousand nine hundred and forty-three, under the statutes governing such other retirement systems shall thereafter be paid by the pension commission herein provided for from the retirement system herein provided for, according to the statute under which such pension or other benefits were allowed.

Allowed or disallowed by pension commission.

All claims for pensions or other benefits from such other county retirement systems which are pending or ungranted on July first, one thousand nine hundred and forty-three, shall be allowed or disallowed by the pension commission herein provided for according to the provisions of the statutes governing such other retirement systems, and those which shall be allowed shall be paid from the retirement system herein provided for.

Effective date.

2. All acts and parts of acts inconsistent herewith are repealed and this act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 49

AN ACT concerning the maintenance of free public libraries in municipalities, and amending section 40:54–8 of the Revised Statutes.

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

1. Section 40:54–8 of the Revised Statutes is amended to read as follows: Section amended.

40:54–8. The governing body or appropriate board of every municipality governed by this article shall annually appropriate and raise by taxation a sum equal to one-third of a mill on every dollar of assessable property within such municipality. Raise by taxation.

Such additional sum, as in the judgment of such body or board is necessary for the proper maintenance of a free public library, may be appropriated and raised by taxation, annually. Appropriated.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 50

AN ACT confirming, validating and legalizing certain deeds of conveyance of or for lands, tenements, hereditaments or real estate heretofore made and delivered by any administrator or administrators with the will annexed or by any administrator or administrators de bonis non with the will annexed, or any substituted administrator or administrators, or by the survivors, or successor or successors of them, him or her, and making the record of said deeds admissible in evidence.

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

Conveyance validated.

1. Any deed or deeds of conveyance, heretofore made and delivered by any administrator or administrators with the will annexed, or by any administrator or administrators de bonis non with the will annexed, or any substituted administrator or administrators, or by the survivor or survivors, successor or successors of them, him or her, of or for any lands, tenements, hereditaments or real estate sold pursuant to the power, permission or direction in the said will annexed, is and are hereby confirmed, validated, legalized and declared to be, and is and are and shall be as good, legal, valid and effectual, and the record thereof admissible in evidence, notwithstanding the terms of said sale may not have been submitted to the prerogative court or to the orphans' court of the county in which the said lands or real estate lie, or have not been approved by the said court, and although the provisions of the acts of the Legislature, requiring the report of such sale to, and approval thereof by, the prerogative court or the orphans' court of the county in which the lands sold lie, have not been

complied with; except where said will has expressly confided the exercise of said power of sale to some other person or persons named therein other than the executor or executors therein named.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 51

AN ACT providing for a further distribution of the Revised Statutes of the State of New Jersey.

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

Distribution of Revised Statutes.

1. The Secretary of State is hereby authorized to deliver to each member of the Senate and House of Assembly of the one hundred and sixty-eighth session of the New Jersey Legislature, who has not previously received the same, a complete set of the Revised Statutes of this State, including volumes IV and V thereof, and the supplements thereto.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 52

AN ACT concerning the admission and commitment of patients to mental hospitals, and amending section 30:4–29 of the Revised Statutes.

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

Section amended.

1. Section 30:4–29 of the Revised Statutes is amended to read as follows:

Licensed to practice medicine.

30:4–29. The application for admission and commitment to any such institution shall be attached to and accompanied by the certificate in writing of two physicians under oath. Every physician in order to qualfy so as to certify to the insanity of such patient for the purpose of securing his commitment to any such institution must be of reputable character, be duly licensed to practice medicine in this State, hold a degree of doctor of medicine or a license to practice medicine and surgery in this State issued pursuant to section 45:9–14.1 of the Revised Statutes, be a permanent resident of this State, and have been in the actual practice of medicine and surgery for at least five years.

In cases of the application for such admission and confinement on behalf of any person who has been granted an honorable discharge from the United States Army, Navy or Marine Corps, such physicians, in order to qualify so as to certify to the insanity of such honorably discharged person, may be either a physician of the qualifications set forth above or reputable physicians or surgeons holding the degree of doctor of medicine and who also are either physicians or surgeons duly commissioned in the United States Army, Navy or Marine Corps or in the employ of the United States Veterans' Bureau.

Degree of doctor of medicine.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 53

AN ACT relating to disorderly persons, and amending section 2:202–26 of the Revised Statutes.

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

1. Section 2:202–26 of the Revised Statutes is amended to read as follows: Section amended.

2:202–26. Any person who shall spit on the floor, side, seat or platform of any trolley, autobus, street railway or railroad passenger cars shall be adjudged a disorderly person, and punished by a fine of not more than ten dollars ($10.00) for each offense. Punished by fine.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 54

AN ACT concerning taxation, and repealing section 52:30–3 of the Revised Statutes.

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

1. Section 52:30–3 of the Revised Statutes is repealed. Section repealed.

2. This act shall take effect immediately.

Approved March 31, 1944.

CHAPTER 55

AN ACT concerning certain statements of financial conditions of school districts, and repealing sections 18:5–62 and 18:5–63 of the Revised Statutes.

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

Sections repealed.

1. Sections 18:5–62 and 18:5–63 of the Revised Statutes are repealed.

2. This act shall take effect immediately.

Approved April 4, 1944.

CHAPTER 56

AN ACT concerning the filing of certain financial statements of counties and municipalities, and amending section 40:5–13 of the Revised Statutes.

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

Section amended.

1. Section 40:5–13 of the Revised Statutes is amended to read as follows:

File statement.

40:5–13. The comptroller of each city, the financial officer of each other municipality, and the treasurer of each county, shall file annually within two months after the close of the fiscal year of such municipality or county, with the Commissioner of Local Government, upon forms furnished and prescribed by him, a statement, under the oath of the official required to make the same, of the financial condition of the municipality or county as of the

close of the fiscal year of such municipality or county immediately preceding the time fixed for filing such statement. The statement shall include such information concerning the finances of the municipality or county as the Commissioner of Local Government shall require.

2. This act shall take effect immediately.

Approved April 4, 1944.

CHAPTER 57

AN ACT to release the title and interest of the people of the State of New Jersey in and to certain real estate of which Joseph Thorpe and Margaretta J. Thorpe died seized, in the city of Jersey City, county of Hudson, State of New Jersey.

Preamble.

WHEREAS, Joseph Thorpe, late of and for a long time a resident of the city of Jersey City, Hudson county, State of New Jersey, departed this life at Jersey City aforesaid on the ninth day of November, one thousand nine hundred and two, seized of the property hereinafter described, and leaving him surviving his lawful widow, Ann Thorpe, and a daughter, Sarah Ann, who married Henry Gray, who was the lawful issue of marriage with the said Ann Thorpe, his next of kin and only heirs at law; and

Preamble.

WHEREAS, The said Joseph Thorpe, at the time of his death, was living with a certain woman who purported to be the lawful wife of the said Joseph Thorpe, deceased, and who was known as Margaretta J. Thorpe; and

New Jersey State Library

Preamble. WHEREAS, The said Joseph Thorpe, deceased, left a will dated the seventeenth day of July, one thousand nine hundred and two, in and by which will he gave, devised and bequeathed all of his property, both real and personal, unto the said Margaretta J. Thorpe; and

Preamble. WHEREAS, The said Margaretta J. Thorpe died on the seventh day of February, one thousand nine hundred and three, seized of the property hereinafter described, intestate, and without issue, and leaving no heirs or legal representatives, by reason of which the said property hereinafter described has escheated to the State; and

Preamble. WHEREAS, The Legislature of the State of New Jersey by an act entitled "An act to release the title and interest of the people of the State of New Jersey in and to certain real estate of which Joseph Thorpe and Margaretta J. Thorpe died seized, in the city of Jersey City, in the county of Hudson and in the townships of Palisades, New Barbadoes and Harrington, in the county of Bergen," approved March twenty-eighth, one thousand nine hundred and four (P. L. 1904, c. 67), remised, released, conveyed and confirmed unto the said Sarah Ann Gray, the only child and heir at law of the said Joseph Thorpe, deceased, and to her heirs and assigns forever, All the right, title, interest, property, claim or demand of the State of New Jersey in and to several parcels of land situate, lying and being in the city of Jersey City, county of Hudson and State of New Jersey, and also several parcels in the county of Bergen, New Jersey, intending, evidently, to release, &c., all of the lands of which the said Joseph Thorpe and Margaretta Thorpe died seized, but omitted to include two lots of land and premises adjoining the lands described in said act as "First Piece", to wit:

Lots. Two lots which on a certain map entitled "Map of Chelsea" known and designated as

Lots 17 and 18, on Block numbered one, fronting on the northerly line of Leonard street, Jersey City, New Jersey; and

Preamble.

WHEREAS, Said Sarah Ann Gray and Henry Gray, her husband, did by deed dated July 1, 1907, recorded July 2, 1907, in Book 976 of Deeds, page 627, convey Lot 17, Block 1, above described, to one Frederick Ziegler, and since then said premises have been conveyed by various deeds, based on the ownership of said premises of said Sarah Ann Gray, the last deed being to Rudolph Riedmann, recorded November 18, 1936, in Liber 1891 of Deeds, page 144, who is now in possession of said premises; therefore,

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

Title and interest.

1. All the right, title, interest, property, claim or demand of the State of New Jersey in and to all those certain lots, pieces or parcels of land, situate, lying and being in the city of Jersey City, county of Hudson and State of New Jersey, and more particularly described as follows:

Description.

All that lot, piece or parcel of land and premises, situate, lying and being in the city of Jersey City, county of Hudson and State of New Jersey, which on a map entitled "Map of Chelsea", situated in Hudson City, Hudson County, New Jersey, surveyed and laid out into lots by Joseph Fouquet, Surveyor and Engineer of Jersey City, now on file in the Register's Office of Hudson County, is known and distinguished as lot numbered seventeen (17) on Block number one (1), fronting on the northerly side of Leonard street. Also known as Lot 17 in City Block 896, on the Official Assessment Map of Jersey City, 1894, by L. D. Fowler, C. E. and Surveyor.

Description.

Being also known as 110 Leonard street, Jersey City, New Jersey. Said lot being twenty-five (25) feet wide in front and rear and one hundred (100) feet in depth throughout.

Together with the hereditaments and appurtenances thereunto belonging is hereby remised, released, conveyed, and confirmed unto the said Rudolph Riedmann, whose title to said premises is derived through said Sarah Ann Gray, the only child and heir at law of the said Joseph Thorpe, deceased, and to his heirs and assigns forever; *provided*, that the recitals of this act are true.

Proviso.

2. This act shall take effect immediately.

Approved April 4, 1944.

CHAPTER 58

AN ACT vesting title to real estate of which Charles, also known as Carl Schmidt died seized, and which is alleged to have escheated to the State of New Jersey, in the year one thousand nine hundred and thirty-four, in the city of Hackensack, in the county of Bergen.

Preamble.

WHEREAS, Charles, also known as Carl Schmidt, late of the township of River Vale, county of Bergen and State of New Jersey, departed this life intestate, on the fifth day of April, one thousand nine hundred and thirty-four, seized of all those certain tracts or parcels of land and premises hereinafter particularly described, situate, lying and being in the city of Hackensack, in the county of Bergen and State of New Jersey:

Known and designated on a certain map entitled "Second Section of Maywood Park, property of Gustav Peetz" made by Lemuel Lozier, and duly filed in the clerk's office of said county of Bergen, January twenty-first, one thousand eight hundred and ninety-five, as lots numbered seven (7) and eight (8) Block L.

All as laid down on said map. Subject to restrictions of record, if any. Also known as Lots 16 and 17 in Block 455 on the assessment map of the city of Hackensack.

WHEREAS, The said Charles, also known as Carl Schmidt, left no person or persons capable of inheriting the said lands and premises; and Preamble.

WHEREAS, Taxes were assessed against the above-mentioned property in the name of "Charles & G. Schmidt" for the year one thousand nine hundred and thirty-two by the said city of Hackensack and remained unpaid, so that on April sixth, one thousand nine hundred and thirty-four, the said lands and premises were sold at a sale for delinquent taxes and they were struck off and sold to the said city of Hackensack for the sum of fourteen dollars and sixty-seven cents ($14.67), at which time Emil J. Meyerer, collector of taxes of the taxing district of city of Hackensack, made and delivered to the city of Hackensack a certificate of tax sale for the above-described premises; and Preamble.

WHEREAS, The city of Hackensack has foreclosed the said tax sale certificate and did receive a final decree which has been recorded in the office of the clerk of the county of Bergen, cutting off any interest which the heirs, devisees and personal representatives of Charles, also known as Carl Schmidt, deceased, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest, et al., may have in said premises; and Preamble.

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

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

Title vested in city of Hackensack.

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Charles, also known as Carl Schmidt, more particularly described in the first preamble of this act, are hereby vested in the city of Hackensack, in the county of Bergen; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Private act.

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

Approved April 4, 1944.

CHAPTER 59

AN ACT concerning oaths and affidavits, and amending sections 41:2–4, 41:2–5, 41:2–11 and 41:2–15 of the Revised Statutes.

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

Section amended.

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

Oath of allegiance.

41:2–4. Any court of judicature or any commissioned officer of the United Army, Navy or Marine Corps shall administer the oath of allegiance to such person as shall be by law required to take the same in such court; *provided,* that when said oath of allegiance shall be taken before a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States.

2. Section 41:2–5 of the Revised Statutes is amended to read as follows: Section amended.

41:2–5. It shall be lawful for every court, body corporate, judge, justice of the peace, any commissioned officer of the United States Army, Navy or Marine Corps or other person, before whom it is or shall be incumbent for any person, elected or appointed to office, to take his official oath, to administer at the same time the oath of allegiance to such person, if he is or shall be required by law to take the same; *provided,* that when said official oath shall be taken before a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States. Official oaths. Proviso.

3. Section 41:2–11 of the Revised Statutes is hereby amended to read as follows: Section amended.

41:2–11. The clerk for the time being of the court of common pleas of each county or any commissioned officer of the United States Army, Navy or Marine Corps shall administer the oaths of office and allegiance to every person chosen or appointed judge of the said court, or elected justice of the peace, sheriff or coroner in and for the said county; *provided,* that when said oaths of office and allegiance have been administered by a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States. Clerk to administer oath. Proviso.

4. Section 41:2–15 of the Revised Statutes is hereby amended to read as follows: Section amended.

41:2–15. Any judge of the court of common pleas or any commissioned officer of the United States Army, Navy or Marine Corps may administer the oaths of office and allegiance to the person who shall be elected or appointed clerk of the court; and the clerk shall thereupon enroll his own name and the time of his being sworn into Judge to administer oath.

office, and transmit a copy of such enrollment to the Secretary of State to be by him filed in his office; *provided,* that when said oaths of office and allegiance have been administered by a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States.

Proviso.

Inconsistent acts repealed.

5. Any act or parts of acts inconsistent herewith are hereby repealed.

6. This act shall take effect immediately.

Approved April 4, 1944.

CHAPTER 60

AN ACT to validate certain municipal budgets adopted by municipalities for the fiscal year one thousand nine hundred and forty-four.

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

Budget validated.

1. Any budget heretofore adopted by any municipality for the fiscal year one thousand nine hundred and forty-four is hereby validated, ratified and confirmed, notwithstanding any defect, omission or irregularity in the acts done or proceedings taken for the adoption of said budget; *provided,* such budget substantially complies with the provisions of the local budget law constituting chapter two of Title 40 of the Revised Statutes; *and provided,* that the validity of such budget or of the proceedings taken for the adoption of such budget shall not have been questioned in any action or proceeding heretofore instituted in any court.

Proviso.

2. This act shall take effect immediately.

Approved April 4, 1944.

CHAPTER 61

AN ACT concerning counties of the first class, and amending section 40:21–57 of the Revised Statutes.

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

1. Section 40:21–57 of the Revised Statutes is amended to read as follows: Section amended.

40:21–57. When there shall be a vacancy in the office of county supervisor caused by his resignation, death or removal, the board of chosen freeholders shall elect a citizen of the county to fill the vacancy in such office for the unexpired portion of the term. Notwithstanding any of the provisions of section 40:21–1, of this Title, the board of chosen freeholders may elect to such vacancy any member of said board, who, upon assuming the office of county supervisor, shall cease to be a member of the board. Board of chosen freeholders shall elect.

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 62

AN ACT appropriating twelve thousand five hundred dollars ($12,500.00) to the State Commission on Post-War Economic Welfare.

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

Appropriation to defray expenses.

1. The sum of twelve thousand five hundred dollars ($12,500.00) is appropriated to the State Commission on Post-War Economic Welfare to defray expenses incurred and to be incurred by said commission.

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 63

AN ACT concerning boards of chosen freeholders, and amending section 40:20–72 of the Revised Statutes.

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

Section amended.

1. Section 40:20–72 of the Revised Statutes is amended to read as follows:

Salaries.

40:20–72. The salaries of the members of the boards of chosen freeholders in counties governed by small boards under the provisions of sections 40:20–2 to 40:20–35 of this Title shall be as follows:

Annual salary.

a. In counties bordering on the Atlantic ocean having a population of less than thirty thousand, each member shall receive an an-

nual salary of twenty-five hundred dollars ($2,500.00);

b. In counties bordering on the Atlantic ocean now or hereafter having a population of not less than thirty thousand nor more than one hundred thousand, each member shall receive an annual salary of five thousand dollars ($5,000.00); Annual salary.

c. In counties not bordering on the Atlantic ocean having a population of less than forty-seven thousand, each member shall receive an annual salary of thirty-five hundred dollars ($3,500.00); Annual salary.

d. In counties having a population of more than forty-seven thousand but less than five hundred thousand, each member shall receive an annual salary of four thousand dollars ($4,000.00); Annual salary.

e. In counties having a population of more than five hundred thousand, each member shall receive an annual salary of six thousand dollars ($6,000.00); and Annual salary.

f. In counties where such board consists of nine members, the director shall receive, in addition to his salary as a member, the sum of five hundred dollars ($500.00) per annum. Annual salary.

The salaries herein provided shall be in lieu of all fees or other compensation and shall be paid in equal monthly installments by the county treasurer. In lieu of fees.

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 64

AN ACT concerning the civil service of the State and of counties, municipalities and school districts operating under the provisions of Title 11 of the Revised Statutes, and supplementing Title 11 of the Revised Statutes.

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

Approval of president of commission.

1. Subject to the approval of the president of the Civil Service Commission, the chief examiner and secretary may discontinue or delay the holding of open or promotional competitive examinations for filling vacancies in the classified civil service of the State and of the counties, municipalities and school districts operating under the provisions of Title 11 of the Revised Statutes; and he may approve the appointment of employees with provisional or temporary status and the extension of their employment with such status for any part or all of the period during which this act may continue in effect.

Chief examiner may ascertain.

The chief examiner and secretary may, prior to approving such appointments, ascertain, under such tests or inquiries as he may deem proper, whether persons proposed to be appointed with such temporary or provisional status possess at least the minimum qualifications required for positions to

Temporary status.

which appointments are made hereunder. The Civil Service Commission may authorize and approve appointments with provisional or temporary status in the noncompetitive and labor class as provided herein for appointment in the competitive class.

Not to be given permanent status.

2. No person appointed in a provisional or temporary capacity under the provisions of this act shall by virtue thereof be granted, acquire or be given permanent status, and no such appointment

shall extend beyond the suspension or expiration of this statute. No appointee hereunder shall pay dues or contributions into or be eligible for membership in any pension fund existing or which may be established for regular and permanent employees during the period of his service hereunder nor shall he acquire any pension or tenure status.

Appointment from eligible lists.

3. The certification and appointment of eligibles from eligible lists now existing or to be established shall continue as heretofore and appointment required therefrom if there are eligibles available from such lists for certification and appointment as prescribed in existing law.

Effective date.

4. This act shall take effect immediately and shall continue to be operative until June thirtieth, one thousand nine hundred and forty-five; *provided, however,* that the Governor, by proclamation, may at any time suspend the operation of this statute whenever he may consider such action to be advisable and in the public interest.

Approved April 5, 1944.

CHAPTER 65

AN ACT concerning the civil service, amending sections 11:1–1, 11:1–2, 11:1–6, 11:1–9, 11:2–1, 11:2–3, 11:2–5, 11:2–6, 11:5–1; repealing section 11:2–4; and supplementing Title 11 of the Revised Statutes.

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

Section amended.

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

Commission continued.

11:1–1. The Civil Service Commission, hereinafter referred to as the "commission," created by an act entitled "An act regulating the employment,

tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providng for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight (L. 1908, c. 156, p. 235), as supplemented by the act approved March twenty-third, one thousand nine hundred and seventeen (L. 1917, c. 105, p. 218), is continued.

Commission of five persons.

The commission shall consist of five persons, as commissioners, all of whom shall be residents of this State.

Appointed by Governor.

The commissioners shall be appointed by the Governor, by and with the advice and consent of the Senate. Each commissioner shall hold office for the term of five years and until his successor has been appointed and qualified.

Governor to designate presiding officer.

The Governor shall designate one of the commissioners as president of the commission, who shall be its presiding officer. Any president heretofore or hereafter designated shall serve as such president during the term of the Governor designating him and until his successor has been designated.

Vacancy.

A vacancy in the commission shall be filled by appointment by the Governor, for the remainder of the term, subject to confirmation by the Senate, but any appointment shall remain in force until acted upon by the Senate. The other commissioners shall be eligible to appointment to fill a vacancy in the office of president of the commission.

Not to hold office.

No commissioner shall hold any other office of profit under the Government of this State or of the United States.

Section amended.

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

Salary.

11:1–2. The president of the commission shall receive a salary of six thousand dollars ($6,000.00) per annum and each of the other commissioners a salary of four thousand dollars ($4,000.00) per annum, payable out of the State treasury on the warrant of the State Comptroller. Each com-

missioner shall, in addition to his salary, be entitled to such sums as shall be incurred for necessary traveling and other expenses. No money shall be paid out of the treasury for such expenses, except on bills presented to the State Treasurer duly verified by the oath of the person presenting the claim.

Section amended.

3. Section 11:1–6 of the Revised Statutes is amended to read as follows:

Executive functions.

11:1–6. All the executive functions, powers and duties vested in the commission by any section of this Title shall be performed, exercised or discharged, as the case may be, solely by the president. He shall exercise general supervision over all activities carried on under this Title.

Section amended.

4. Section 11:1–9 of the Revised Statutes is amended to read as follows:

Offices.

11:1–9. The commission shall have a central office in Trenton and a branch office located in the city of Newark, and may, in the discretion of its president, establish one additional branch office in Camden, as need appears; and shall maintain no other office or place of business. The officials having control of the buildings of any county, municipality or school district operating under the provisions of subtitle three of this Title (§11:19–1 et seq.) shall furnish convenient offices and rooms for examination purposes, with the necessary light, heat and furniture for the accommodation of local examiners and registrars, upon requisition by the commission. The office of the commission shall be open for business between nine o'clock in the morning and five o'clock in the afternoon of each business day.

Section amended.

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

Chief examiner and secretary.

11:2–1. The president of the commission shall, with the approval of the Governor, appoint a chief examiner and secretary, whose compensation shall be as provided in the annual appropriation law, and who shall hold office during the term of the president appointing him and until his successor

has been appointed and qualified. The Governor may, however, remove a chief examiner and secretary for cause.

Section amended.

6. Section 11:2–3 of the Revised Statutes is amended to read as follows:

Chief examiner and secretary.

11:2–3. A person hereafter appointed as chief examiner and secretary shall, at the time of his appointment, be thoroughly familiar with the principles and methods of personnel administration generally recognized by those in charge of employment work for large public and private employers and skilled and experienced in personnel administration. He shall be of good repute in his business, profession or occupation and known to be in sympathy with the systematic application of merit and good business principles in the handling of personnel matters in connection with positions in the public service that are nonpolitical in character.

Section repealed.

7. Section 11:2–4 of the Revised Statutes is repealed.

Section amended.

8. Section 11:2–5 of the Revised Statutes is amended to read as follows:

Chief examiner and secretary.

11:2–5. The chief examiner and secretary shall be in the State unclassified service.

Section amended.

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

Chief examiner and secretary.

11:2–6. The chief examiner and secretary shall administer the work of the commission and perform such other duties as are conferred upon him by this Title, or by rule or regulation of the commission, under the direction and supervision of the president of the commission.

Section amended.

10. Section 11:5–1 of the Revised Statutes is amended to read as follows:

Duties.

11:5–1. The commission, in addition to the other duties imposed upon it by law, shall, as a body:

Adopt rules.

a. Adopt and amend, after public hearing, rules and regulations for making effective the provisions of this subtitle;

Adopt classification plan.

b. Adopt, within ten days after the report to the Legislature of the legislative commission

constituted by chapter one hundred sixty-two, laws of one thousand nine hundred and forty-three, the classification and compensation plan incorporated in such report; and after the installation of such plan by the chief examiner and secretary, the commission shall have power to approve, modify or reject, after public hearing, such classification and compensation plans for the classified service, or a part thereof, together with rules for their administration, as may be presented by the chief examiner and secretary after a thorough survey of the personnel and departmental organization included in such plans;

Make investigations.

c. Make investigations either on petition of a citizen or of its own motion concerning matters pertaining to the enforcement and effect of this subtitle; require observance of its provisions and the rules and regulations adopted thereunder, and make such investigations as may be requested by the Governor or the Legislature, and report thereon;

Hear appeals.

d. Hear appeals, either as a body or through one or more members designated by a majority thereof to hear such appeals, of persons in the classified service sought to be removed, demoted in pay or position, suspended, fined or otherwise discriminated against contrary to the provisions of this subtitle, and render decisions thereon and require observance of the decisions as herein provided;

Hear and determine appeals.

e. Hear and determine such appeals respecting the administrative work of the department, including appeals from the allocation of positions, the rejection of applicants for admission to examination, and the refusal to certify the name of an eligible, as may be referred to the commission by the chief examiner and secretary.

Establish procedure.

f. Establish procedures for maintaining adequate employer-employee relations, and for the orderly consideration of disputes,

grievances, complaints and proposals relating to the employer-employee relationship, in the classified service of the State; and make investigations, conduct hearings and make rulings with respect thereto. Such rulings shall not be interpreted to compel or require the expenditure of moneys which are not available or the incurring of obligations not otherwise authorized by law.

C. 11:7-10. Adjustments of compensation.

11. Adjustments of compensation after the allocation of positions under a new compensation plan shall be made as follows: The compensation of each employee then receiving more than the maximum rate per year for the class in which his position falls shall not be reduced as a result of such allocation; the compensation of each employee then receiving a rate per year within the range prescribed for the class in which his position falls shall be increased to the next higher increment rate as funds shall be available; the compensation of each employee then receiving less than the minimum rate per year for the class in which his position falls shall be increased in rate per year to the minimum for the class as funds shall be available, except that the rate per year of each employee whose position falls within a class for which the minimum rate is twelve hundred dollars ($1,200.00) per year or less shall be increased, if necessary, to the minimum rate per year for the class, effective July first, one thousand nine hundred and forty-four.

12. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 66

AN ACT concerning prosecutors of the pleas, and amending section 2:182–10 of the Revised Statutes.

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

1. Section 2:182–10 of the Revised Statutes is amended to read as follows: Section amended.

2:182–10. The prosecutors of the pleas shall receive annual salaries as follows: Prosecutor of pleas.

a. In counties of the first class, not less than eight thousand dollars ($8,000.00) and not more than twelve thousand dollars ($12,000.00), the amount to be fixed by the board of chosen freeholders of the respective counties; First class.

b. In counties other than counties of the first class and counties bordering on the Atlantic ocean: Other counties.

(1) Counties having a population of not less than one hundred and ninety thousand and not more than three hundred thousand, seventy-five hundred dollars ($7,500.00); Salary.

(2) Counties having a population of not less than one hundred thousand and not more than one hundred and ninety thousand, seven thousand dollars ($7,000.00); Salary.

(3) Counties having a population of not less than eighty-two thousand and not more than one hundred thousand, sixty-five hundred dollars ($6,500.00); Salary.

(4) Counties having a population of not less than seventy-five thousand and not more than eighty-two thousand, forty-five hundred dollars ($4,500.00); Salary.

(5) Counties having a population of not less than fifty thousand and not more than seventy-five thousand, four thousand dollars ($4,000.00); Salary.

Salary. (6) Counties having a population of not less than twenty-four thousand and not more than fifty thousand, three thousand dollars ($3,000.00);

Salary. (7) Counties having a population of less than twenty-four thousand, two thousand dollars ($2,000.00);

c. In counties bordering on the Atlantic ocean:

Salary. (1) Counties having a population of not less than one hundred thousand and not more than two hundred thousand, seven thousand dollars ($7,000.00);

Salary. (2) Counties having a population of not less than seventy-five thousand and not more than one hundred thousand, eight thousand dollars ($8,000.00);

Salary. (3) Counties now or hereafter having a population of not less than thirty thousand and not more than seventy-five thousand, five thousand dollars ($5,000.00);

Salary. (4) Counties now or hereafter having a population of less than thirty thousand, four thousand dollars ($4,000.00).

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 67

AN ACT concerning surrogates, and amending section 2:7–19 of the Revised Statutes.

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

Section amended. 1. Section 2:7–19 of the Revised Statutes is amended to read as follows:

Surrogates. 2:7–19. The surrogates shall receive, in lieu of all other compensation, annual salaries as follows:

In counties having a population exceeding three hundred thousand inhabitants, ten thousand dollars ($10,000.00); Salary.

In counties having a population of between two hundred thousand and three hundred thousand inhabitants, eight thousand dollars ($8,000.00); Salary.

In counties having a population of between one hundred and seventy-five thousand and two hundred thousand inhabitants, seventy-five hundred dollars ($7,500.00); Salary.

In counties having a population of between eighty-two thousand and one hundred and seventy-five thousand inhabitants, seventy-five hundred dollars ($7,500.00); Salary.

In counties having a population of between sixty-two thousand and eighty-two thousand inhabitants, six thousand dollars ($6,000.00); Salary.

In counties having a population of between fifty thousand and sixty-two thousand inhabitants, five thousand dollars ($5,000.00); Salary.

In counties having a population of between forty-eight thousand and fifty thousand inhabitants, forty-five hundred dollars ($4,500.00); Salary.

In counties having a population of less than forty-eight thousand inhabitants, except certain counties bordering on the Atlantic ocean, thirty-five hundred dollars ($3,500.00); Salary.

In counties bordering on the Atlantic ocean now or hereafter having a population of not less than thirty thousand and not more than one hundred thousand inhabitants, five thousand dollars ($5,000.00); Salary.

In counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants, four thousand dollars ($4,000.00). Salary.

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 68

AN ACT concerning county clerks, and amending section 40:38–5 of the Revised Statutes.

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

Section amended.

1. Section 40:38–5 of the Revised Statutes is amended to read as follows:

County clerks.

40:38–5. The county clerks shall receive, in lieu of all other compensation, annual salaries as follows:

Salary.

In counties having a population exceeding three hundred thousand inhabitants, ten thousand dollars ($10,000.00);

Salary.

In counties having a population of between two hundred thousand and three hundred thousand inhabitants, eight thousand dollars ($8,000.00);

Salary.

In counties having a population of between one hundred and seventy-five thousand and two hundred thousand inhabitants, seventy-five hundred dollars ($7,500.00);

Salary.

In counties having a population of between eighty-two thousand and one hundred seventy-five thousand inhabitants, seventy-five hundred dollars ($7,500.00);

Salary.

In counties having a population of between sixty-two thousand and eighty-two thousand inhabitants, six thousand dollars ($6,000.00);

Salary.

In counties having a population of between fifty thousand and sixty-two thousand inhabitants, five thousand dollars ($5,000.00);

Salary.

In counties having a population of between forty-eight thousand and fifty thousand inhabitants, forty-five hundred dollars ($4,500.00);

Salary.

In counties having a population of less than forty-eight thousand inhabitants, except certain counties bordering on the Atlantic ocean, thirty-five hundred dollars ($3,500.00);

In counties bordering on the Atlantic ocean now or hereafter having a population of not less than thirty thousand and not more than one hundred thousand inhabitants, five thousand dollars ($5,000.00). Salary.

In counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants, four thousand dollars ($4,000.00). Salary.

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 69

AN ACT concerning sheriffs, and amending section 40:41–6 of the Revised Statutes.

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

1. Section 40:41–6 of the Revised Statutes is amended to read as follows: Section amended.

40:41–6. The sheriffs shall receive, in lieu of all other compensation, annual salaries as follows: Sheriffs.

In counties having a population exceeding three hundred thousand inhabitants, eleven thousand dollars ($11,000.00); Salary.

In counties having a population of between two hundred thousand and three hundred thousand inhabitants, eight thousand dollars ($8,000.00); Salary.

In counties having a population of between one hundred and seventy-five thousand and two hundred thousand inhabitants, seventy-five hundred dollars ($7,500.00); Salary.

In counties having a population of between eighty-two thousand and one hundred and seventy-five thousand inhabitants, seventy-five hundred dollars ($7,500.00); Salary.

In counties having a population of between sixty-two thousand and eighty-two thousand inhabitants, six thousand dollars ($6,000.00); Salary.

Salary. In counties having a population of between fifty thousand and sixty-two thousand inhabitants, five thousand dollars ($5,000.00);

Salary. In counties having a population of between forty-eight thousand and fifty thousand inhabitants, forty-five hundred dollars ($4,500.00);

Salary. In counties having a population of less than forty-eight thousand inhabitants, except certain counties bordering on the Atlantic ocean, thirty-five hundred dollars ($3,500.00);

Salary. In counties bordering on the Atlantic ocean now or hereafter having a population of not less than thirty thousand and not more than one hundred thousand inhabitants, five thousand dollars ($5,000.00).

Salary. In counties bordering on the Atlantic ocean now or hereafter having a population of less than thirty thousand inhabitants, four thousand dollars ($4,000.00).

2. This act shall take effect immediately.

Approved April 5, 1944.

CHAPTER 70

AN ACT concerning health and vital statistics, and amending sections 26:2–60 and 26:2–61 of the Revised Statutes, and supplementing chapter two of Title 26 of the Revised Statutes.

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

Section amended. 1. Section 26:2–60 of the Revised Statutes is amended to read as follows:

Department of Health acting for State. 26:2–60. The Department of Health, acting for and on behalf of the State of New Jersey, is authorized and empowered, pursuant to the appro-

priate provisions of an Act of the Congress entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a social security board; to raise revenue, and for other purposes" (Public Statute No. 271—74th Congress), to participate in such grants subject to the provisions of the aforesaid Federal statute, and the rules and regulations thereunder, and particularly Titles V and VI thereof covering the appropriations therefor.

Department of Health.

The Department of Health, acting for and on behalf of the State of New Jersey, is authorized and empowered, pursuant to the appropriate provisions of an Act of the Congress entitled "An act to impose additional duties upon the United States Public Health Service in connection with the investigation and control of the venereal diseases" (Public Statute No. 540—75th Congress), to participate in such grants subject to the provisions of the aforesaid Federal statute, and the rules and regulations thereunder.

Participate in grants.

Department of Health.

The Department of Health, acting for and on behalf of the State of New Jersey, is authorized and empowered, pursuant to the appropriate provisions of an Act of Congress entitled "An act to provide for the acquisition and equipment of public works made necessary by the defense program" (Public Statute No. 137—77th Congress, approved June 28, 1941), to participate in such grants subject to the provisions of the aforesaid Federal statute, and the rules and regulations thereunder.

Authorized to pay.

The Department of Health is likewise authorized to pay from the aforesaid Federal grants, upon approval by the Civil Service Commission, compensation to administrative officers of the department for administering projects under such grants, said compensation to be in addition to the regular sal-

ary received by such officers in the performance of duties for which they are paid from funds appropriated by the State, notwithstanding any other provision of the law to the contrary.

Section amended.

2. Section 26:2–61 of the Revised Statutes is amended to read as follows:

Make application to Surgeon-General.

26:2–61. The Department of Health is further authorized and directed to make application to the Surgeon-General of the United States and to such other officers and agencies of the Federal government in said Acts enumerated, for securing the allotments so authorized, such allotments to be paid to the State Treasurer. The State Treasurer shall maintain such sums as may be received in separate funds, to be disbursed by him on the warrant of the Comptroller, subject to the certification of the Department of Health, in furtherance of the purposes enumerated.

C. 26:2-83. Maintain and operate hospitals.

3. The Department of Health is authorized and empowered to maintain and operate hospitals for the detention, care, treatment and rehabilitation of persons having or suspected of having venereal diseases and to construct, purchase, lease, rent or otherwise acquire the use of property, buildings, equipment and supplies for this purpose.

4. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 71

AN ACT to amend "An act to provide for the continuation of certain exemptions provided for and allowed to all members of the New Jersey National Guard during their term of service after they have been mustered into Federal service, and to extend these exemptions for the duration of the present war and for six months thereafter to all drafted persons and to persons who enlist in the Army, the Navy, or the Marine Corps," approved May second, one thousand nine hundred and forty-two (P. L. 1942, c. 70).

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

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

2. The benefits of these several exemptions provided for in this act shall apply only for the duration of the present war and for six months thereafter. C. 54:4-3-12E. Exemptions.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 72

AN ACT to amend "An act concerning health and accident insurance, supplementing chapter thirty-eight of Title 17 of the Revised Statutes, and repealing section 17:18–7 of the Revised Statutes," approved August second, one thousand nine hundred and thirty-nine (P. L. 1939, c. 305).

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

Section amended.

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

C. 17:38-15. Eligible groups.

2. Eligible groups. No policy of group accident, group health or group accident and health insurance shall be issued or delivered in this State unless the policy conform to the description and complies with the requirements contained in one of the following paragraphs:

Policyholder.

(a) A policy issued to an employer, who shall be deemed the policyholder, covering not less than twenty-five employees of such employer, and covering, except as hereinafter provided, only all employees of such employer or all of any class or classes thereof determined by conditions pertaining to employment, for amounts of insurance based upon some plan which will preclude individual selection. For the purposes of this paragraph, the term "employer" shall include the trustee or trustees of a fund, established by employer members of a trade or business association, and maintained by contributions of such employers for the sole benefit of employees of such contributing employers. If the premium is paid by the employer and employees jointly, or by the employees, the group shall comprise not less than seventy-five per

Employer.

Premium.

centum (75%) of all employees or not less than seventy-five per centum (75%) of any class or classes of employees determined by conditions pertaining to the employment;

Policyholder.

(b) A policy issued to and in the name of an incorporated or unincorporated association of employees, which shall be deemed the policyholder, and which association has a constitution and by-laws and has fifty or more members and is organized and maintained in good faith for purposes other than that of obtaining insurance, and has been so organized and maintained for a period of not less than two years prior to the issuance of such policy or contract, and where the members covered by such contract are not less than seventy-five per centum (75%) of all the members of such association. If membership in such association is confined to employees of one employer, its affiliates or subsidiaries, no policy or contract of group accident, group health or group accident and health insurance may be issued to such association unless the qualifications for membership in such association are determined by conditions pertaining to the employment, the amounts of insurance are based on a plan precluding individual selection, and not less than seventy-five per centum (75%) of all employees eligible for membership in such association are insured.

Term "employees."

The term "employees" as used in this section shall be deemed to include, for the purposes of insurance hereunder, as employees of a single employer, the officers, managers and employees of the employer and of subsidiary or affiliated corporations of a corporation employer, and the individual proprietors, partners and employees of individuals and firms of which the business is controlled by the insured employer through stock ownership, contract or otherwise; *provided*, that in the case of a policy issued pursuant to paragraph (a) to a trus-

Proviso.

tee or trustee of a fund established by employer members of a trade or business association, the term "employees" shall be deemed to include only those persons who bear any of the aforesaid relationships to the contributing employers or any of them, rather than persons who bear any such relationship to such trustee or trustees. The term "employer" as used herein may be deemed to include any municipal corporation or the proper officers, as such, of any unincorporated municipality, or any department of such corporation or municipality determined by conditions pertaining to the employment.

Term "employer."

Section amended.

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

C. 17:38-17. Blanket accident insurance.

4. Blanket accident insurance. Any policy or contract of insurance against death or injury resulting from accident or from accidental means which conforms with the description and complies with the requirements contained in one of the following three paragraphs shall be deemed a blanket insurance policy.

Policy issued to any railroad.

(a) A policy or contract issued to any railroad, steamship, motorbus or airplane carrier of passengers, which carrier shall be deemed the policyholder, covering a group defined as all persons who may become such passengers and whereby such passengers shall be insured against loss or damage resulting from death or bodily injury either while, or as a result of, being such passengers.

Policy issued to volunteer fire department.

(b) A policy or contract issued in the name of any volunteer fire department, first aid or ambulance squad or volunteer police organization, which shall be deemed the policyholder, and covering all the members of any such organization against loss from accidents resulting from hazards incidental to duties in connection with such organizations.

Policy issued in name of established organization.

(c) A policy or contract issued in the name of any established organization whether incor-

porated or not, having community recognition and operated for the welfare of the community and not for profit, which shall be deemed the policyholder, and covering all volunteer workers who are members of the organization and who serve without pecuniary compensation against loss from accidents occurring while engaged in the actual performance of duties on behalf of such organization.

Not to effect legal liability.

Nothing contained in this act shall be deemed to affect the legal liabilty of the policyholder for the death of, or injury to, any member of such group.

Section amended.

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

C. 17:38-18. Standard provisions.

5. Standard provisions. No policy of group accident, group health, group accident and health or blanket accident insurance and no certificate thereunder shall be issued or delivered in this State unless the policy contains in substance all the provisions specified in subsections (a) to (o) following:

Provision.

(a) A provision that no statement made by the applicant for insurance shall avoid the insurance or reduce benefits thereunder unless contained in the written application signed by the applicant; and a provision that no agent has authority to change the policy or to waive any of its provisions; and that no change in the policy shall be valid unless approved by an officer of the insurer and evidenced by endorsement on the policy, or by amendment to the policy signed by the policyholder and the insurer.

Provision.

(b) A provision that the policy, the application of the person or association in whose name the policy is to be issued, a copy of which shall be attached to the policy, and the individual applications, if any, of the employees or members, shall constitute the entire contract between the parties and that all statements con-

tained in any such application for insurance shall be deemed representations and not warranties.

Provision. (c) A provision that all new employees or new members, as the case may be, in the groups or classes eligible for such insurance must be added to such eligible groups or classes.

Provision. (d) A provision that all premiums due under the policy shall be remitted by the employer or employers of the persons insured, by the policyholder, or by some other designated person acting on behalf of the association or group insured, to the insurer on or before the due date thereof with such period of grace as may be specified therein.

Provision. (e) A provision stating the conditions under which the insurer may decline to renew the policy.

Provision. (f) A provision that the insurer shall issue to the employer, the policyholder, or other person or association in whose name such policy is issued, for delivery to each employee or member, an individual certificate setting forth in summary form a statement of the essential features of the insurance coverage, to whom the benefits thereunder are payable, and in substance the provisions of subsections (g) to (n) inclusive of this section. This subsection shall not apply to blanket accident policies issued pursuant to subsections (a) and (c) of section four of this act.

Provision. (g) A provision specifying the ages, if any there be, to which the insurance provided therein shall be limited; and the ages, if any there be, for which additional restrictions are placed on benefits, and the additional restrictions placed on the benefits at such ages.

Provision. (h) A provision that written notice of sickness or of injury must be given to the insurer within twenty days after the date when such sickness or injury occurred. Failure to give

notice within such time shall not invalidate nor reduce any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible.

Provision.

(i) A provision that in the case of claim for loss of time for disability, written proof of such loss must be furnished to the insurer within thirty days after the commencement of the period for which the insurer is liable, and that subsequent written proofs of the continuance of such disability must be furnished to the insurer at such intervals as the insurer may reasonably require, and that in the case of claim for any other loss, written proof of such loss must be furnished to the insurer within ninety days after the date of such loss. Failure to furnish such proof within such time shall not invalidate nor reduce any claim if it shall be shown not to have been reasonably possible to furnish such proof and that such proof was furnished as soon as was reasonably possible.

Provision.

(j) A provision that the insurer will furnish to the person making claim, or to the policyholder for delivery to such person, such forms as are usually furnished by it for filing proof of loss. If the person making claim does not receive such forms before the expiration of fifteen days after the insurer receives notice of any claim under the policy, the person making such claim shall be deemed to have complied with the requirements of the policy as to proof of loss upon submitting within the time fixed in the policy for filing proof of loss, written proof covering the occurrence, character and extent of the loss for which claim is made.

Provision.

(k) A provision that the insurer shall have the right and opportunity to examine the person of the insured when and so often as it may

reasonably require during the pendency of claim under the policy and also the right and opportunity to make an autopsy in case of death where it is not prohibited by law.

Provision.

(l) A provision that all benefits payable under the policy other than benefits for loss of time wll be payable not more than sixty days after receipt of proof, and that, subject to due proof of loss, all accrued benefits payable under the policy for loss of time will be paid not later than at the expiration of each period of thirty days during the continuance of the period for which the insurer is liable, and that any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of such proof.

Provision.

(m) A provision that indemnity for loss of life of the insured shall be payable to the beneficiary or beneficiaries designated by the insured, other than the policyholder or an officer thereof as such, or if no beneficiary is designated, to such other person or persons as shall be specified in the policy; and that all other indemnities of the policy are payable to the employee or member, except that, at the requests of the employee or member or in the event of his death, payment of benefits to the extent of expenses incurred on account of hospitalization may be made by the insurer to the hospital. If a beneficiary is designated, the consent of the beneficiary shall not be requisite to change of beneficiary or to any other changes in the policy or certificate except as may be specifically provided by the policy.

Provision.

(n) A provision that no action at law or in equity shall be brought to recover on the policy prior to the expiration of sixty days after proof of loss has been filed in accordance with the requirements of the policy and that no such action shall be brought at all unless brought within two years from the expiration of the

time withn which proof of loss is required by the policy.

(o) In the case of insurance issued pursuant to subsection (a) of section four of this act, a provision that the company will issue to the policyholder, for delivery to the insured persons, certificates setting forth the name of the insurance company and the essential features of such insurance. Provision.

4. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 73

AN ACT concerning group life insurance, and amending section 17:34–31 of the Revised Statutes.

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

1. Section 17:34–31 of the Revised Statutes is amended to read as follows: Section amended.

17:34–31. Group life insurance is hereby declared to be that form of life insurance written for a term of not more than five years which may be continued successively from one term to another term of not more than five years at the option of the policyholder in accordance with the provisions of the policy and covering (a) not less than fifty employees, written under a policy issued to the employer, the premium for which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based on a plan which precludes individual selection, for the benefit of persons other than the Group life insurance.

employer; *provided,* that when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per centum (75%) of the employees may be so insured; or (b) the lives of only all of the members, or only all of the members except those upon whom the evidence of insurability submitted is not satisfactory to the insurer, of a group of persons, numbering not less than one hundred new entrants to the group yearly, who become borrowers from a financial institution, including any subsidiary or affiliated institutions, or who become purchasers of securities, merchandise or other property from one vendor, or all of any class or classes of such borrowers or purchasers determined by conditions pertaining to the type of indebtedness or purchase, under agreements by such borrowers or such purchasers for the repayment of the sum borrowed, or for the payment of the purchase price or the balance thereof, as the case may be, in installments over a period of not more than ten years. Such a policy shall be issued to the financial institution or vendor or to an assignee to whom such creditor or vendor may transfer all of its right, title and interest to the unpaid indebtedness, or to the unpaid purchase price, under such agreements made by it. The premiums on such policy shall be remitted by the policyholder. If the borrower or purchaser insured under the policy contributes toward the cost of the insurance by payment of an identifiable charge of a specified amount not charged to eligible borrowers or purchasers not so insured, then not less than seventy-five per centum (75%) of the eligible borrowers or purchasers may be so insured. The amount of insurance thereunder on any person insured shall not at any time exceed the amount of unpaid indebtedness due from such person or the amount of the purchase price unpaid by such person, nor the sum of ten thousand dollars ($10,000.00), whichever is less. The benefits under such policies shall be payable to the policyholder; but the amount of any

Amount of insurance.

death benefit received thereunder shall be applied to the discharge of the obligation of the person insured to the policyholder.

Term "employer".

For the purposes of this section, the term "employer" shall include the trustee or trustees of a fund, established by employer members of a trade or business association, and maintained by contributions of such employers for the sole benefit of employees of such contributing employers, and shall include any labor union or association the members of which are defined as "employees" in the following paragraph.

Term "employees."

For the purposes of this section, the term "employees" shall include the members of any labor union or association who are actively engaged in the same occupation, and the officers, managers and employees of the policyholder and of subsidiary or affiliated corporations of a corporation policyholder, and the individual proprietors, partners and employees of affiliated individuals and firms controlled by the policyholder through stock ownership, contract or otherwise; *provided,* that in the case of a policy issued pursuant to the preceding paragraph to a trustee or trustees, the term "employees" shall be deemed to include only those persons who bear any of the aforesaid relationships to the contributing employers or any of them, rather than persons who bear any such relationship to such trustee or trustees.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 74

AN ACT concerning transfer inheritance taxes, and amending section 54:35–10 of the Revised Statutes.

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

Section amended.

1. Section 54:35–10 of the Revised Statutes is amended to read as follows:

Tax paid erroneously.

54:35–10. When any amount of a tax assessed pursuant to chapters thirty-three to thirty-six of this Title (section 54:33–1 et seq.) shall have been paid erroneously to the State Tax Commissioner, the Comptroller of the Treasury may, on satisfactory proof of such erroneous payment rendered to the State Tax Commissioner and duly certified by him to the Comptroller, draw his warrant on the State Treasurer, in favor of the executor, administrator, person or persons who have paid the tax in error, or who may be lawfully entitled to receive the same, for the amount of the tax so paid in error, but all applications for repayment of such tax shall be made within three years from the date of such payment.

Applications for repayment.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 75

AN ACT concerning estate taxes, and amending section 54:38–3 of the Revised Statutes.

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

1. Section 54:38–3 of the Revised Statutes is amended to read as follows: Section amended.

54:38–3. If, subsequent to the determination of the tax due under this chapter, the amount of the Federal estate tax shall be decreased and the amount of the Federal credit correspondingly reduced by reason of any corrected assessment or redetermination, the tax due hereunder shall be reduced accordingly upon satisfactory proof submitted to the State Tax Commissioner, and, if the tax due hereunder shall have theretofore been paid into the State treasury, the Comptroller of the Treasury, on satisfactory proof of such fact submitted to the State Tax Commissioner, and duly certified by him to the Comptroller, shall draw his warrant on the State Treasurer in favor of the executor, administrator, trustee, person or corporation who has paid said tax, or who may be lawfully entitled to receive the same, for the amount of such tax excessively paid and said warrant shall be paid by the State Treasurer out of any appropriation for the refund of transfer inheritance taxes the same as warrants for the refund of such taxes under the transfer inheritance tax statutes of this State are paid. The foregoing provisions respecting refund shall apply with the same force and effect to any other payments determined by the State Tax Commissioner to have been excessively made under this chapter. Tax due.

All applications for the refund of taxes claimed to have been excessively or erroneously paid hereunder must be filed with the State Tax Commis- Applications for refund.

sioner within three years from the date of payment.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 76

AN ACT to amend "An act concerning liens of factors and pledgees upon merchandise or the proceeds thereof, and supplementing chapter sixty of Title 2 of the Revised Statutes," approved May thirteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 182).

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

Section amended.

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

C. 2:60-257. Lien upon accounts.

6. If any agreement provides for a right to or lien upon accounts receivable or other proceeds resulting from or which may result from a sale or sales of merchandise whether or not such merchandise or a part thereof is subject to the lien, such right or lien upon such accounts receivable or the proceeds shall not be void or ineffectual as against creditors or otherwise, by reason of failure to make or deliver a further assignment of any such account; *provided,* a bill, invoice, statement or notice shall be mailed, sent or delivered to the person owing such account receivable stating in substance that the account is payable to the factor and such mailing, sending or delivery of such bill, invoice, statement or notice shall have the same effect as a formal assignment of such account to the factor named therein; *provided, however,* that the making and delivery of any such further or formal assignment shall, in and of itself, give to the assignee a

Proviso.

Proviso.

right to or lien upon the account receivable assigned and to the proceeds thereof, effectual as against all claims of creditors of the assignor, irrespective of whether or not such bill, invoice, statement or notice shall be mailed, sent or delivered to the person owing such account receivable, stating in substance that the account is payable to the factor or assignee. If merchandise sold, or any part thereof, is returned to or recovered by the assignor from the person owing the account receivable and is thereafter dealt with by him as his own property, or if the assignor grants credits, allowances or adjustments to the person owing an account receivable, the right to or lien of the lienor or assignee upon any balance remaining owing on such account receivable and his right to or lien upon any other account receivable assigned to him by the assignor shall not be invalidated, irrespective of whether the assignee shall have consented to, or acquiesced in, such acts of the assignor.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 77

AN ACT authorizing any municipality of this State to exchange lands or any right or interest therein not needed for public use in certain cases.

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

1. Any municipality may exchange any lands or any right or interest therein not needed for public use for other lands to be conveyed to such municipality; *provided,* that such exchange shall have been or shall hereafter be authorized by resolution

C. 40:60-51.3. May exchange lands.

Proviso.

of the governing body of such municipality, and such governing body has determined or hereafter shall determine that the lands to be conveyed to such municipality in such exchange are equal in value to the lands to be conveyed by the municipality in such exchange, and that it is deemed in the public interest that such exchange of lands be consummated.

C. 40:60-51.4. Provisions not to effect any other law.

2. The provisions of this act shall not be deemed to repeal or affect the provisions of any other law authorizing exchange of lands.

3. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 78

AN ACT continuing the closed season on taking female pheasants, and amending section 23:4–8 of the Revised Statutes.

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

Section amended.

1. Section 23:4–8 of the Revised Statutes is amended to read as follows:

No person shall hunt.

23:4–8. No person shall, hunt for, pursue, capture, kill, injure or destroy any female English or ring-necked pheasant under a penalty of twenty dollars ($20.00) for each female pheasant hunted for, pursued, captured, killed, injured or destroyed.

Not to apply to licensee.

This section shall not apply to a licensee operating under the terms of sections 23:3–28 to 23:3–39 of this Title, or to any other person or persons authorized by said licensee to shoot female pheasants on the lands described in such license.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 79

AN ACT concerning the State treasury, and amending section 52:18–18 of the Revised Statutes.

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

1. Section 52:18–18 of the Revised Statutes is amended to read as follows: Section amended.

52:18–18. The State Treasurer may, when in his judgment it is not compatible with public safety to deposit the public moneys, or portion thereof, upon interest bearing terms, as provided by section 52:18–17 of this Title, deposit the same without interest or open time accounts with interest subject to withdrawal upon thirty days' notice, in such of the national banks located in this State and institutions authorized by this State to carry on a banking business as he may select, until such a condition has, in his judgment, ceased to exist. In all cases where a deposit is made, pursuant to this section, the State Treasurer may require from any such institution a deposit of bonds of the United States, or bonds of the State of New Jersey, designed to secure any deposit made pursuant to this section; *provided,* that such requirement shall be deemed to be met if the Federal Reserve Bank of New York or the Federal Reserve Bank of Philadelphia certifies to the State Treasurer that, pursuant to authority given by the depositary, it holds bonds, owned by the depositary, of the kind and in the amount required by the State Treasurer to secure any such deposit. State Treasurer may deposit. Proviso.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 80

AN ACT concerning unemployment compensation, and amending section 43:21–14 of the Revised Statutes.

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

Section amended.

1. Section 43:21–14 of the Revised Statutes is amended to read as follows:

File contributions reports.

43:21–14. (a) In addition to such reports as the executive director may require under the provisions of subsection (g) of section 43:21–11 of this Title, every employer shall file with the commission periodical contribution reports on such forms and at such times as the executive director, with the approval of the commission, shall prescribe, to disclose the employer's liability for contributions under the provisions of this chapter, and at the time of filing each contribution report shall pay the contributions required by this chapter for the period covered by such report. The commission may require that such reports shall be under oath of the employer. Any employer who shall fail to file any report, required by the commission or the executive director, on or before the last day for the filing thereof shall pay a penalty of one dollar ($1.00) for each day of delinquency until and including the tenth day following such last day and, for any period of delinquency after such tenth day, a penalty of one dollar ($1.00) a day or twenty per centum (20%) of the amount of the contributions due and payable by the employer for the period covered by the report, whichever is the lesser. If there be no liability for contributions for the period covered by any contribution report or in the case of any report other than a contribution report, the employer or employing unit shall pay a penalty of one dollar ($1.00) a day for each day of

Penalty.

Penalty.

delinquency in filing or fifteen dollars ($15.00), whichever is the lesser. Any employer who shall fail to pay the contributions due for any period on or before the date they are required by the commission to be paid, shall pay interest at the rate of one per centum (1%) a month on the amount thereof from such date until the date of payment thereof. Upon the written request of any employer or employing unit, filed with the commission on or before the due date of any report or contribution payment, the commission, for good cause shown, may grant, in writing, an extension of time for the filing of such report or the paying of such contribution with interest at the rate of one per centum (1%) a month on the amount thereof; *provided,* no such extension shall exceed thirty days and that no such extension shall postpone payment of any contribution for any period beyond the day preceding the last day for filing tax returns under Title IX of the Federal Social Security Act for the year in which period occurs.

Proviso.

(b) The contributions, penalties, and interest due from any employer under the provisions of this chapter, from the time they shall be due, shall be a personal debt of the employer to the State of New Jersey, recoverable in any court of competent jurisdiction in an action at law in the name of the State of New Jersey.

Personal debt.

(c) If any employer shall fail to make any report as required by the rules and regulations of the commission pursuant to the provisions of this chapter, the commission may make an estimate of the liability of such employer from any information it may obtain and, according to such estimate so made, assess such employer for the contributions, penalties, and interest due the State from him, give notice of such assessment to the employer, and make demand upon him for payment.

Commission may make estimate.

(d) After a report is filed under the provisions of this chapter and the rules and regulations of the commission, the commission shall cause the report to be examined and shall make such further audit

Audit and investigation.

and investigation as it may deem necessary, and if therefrom there shall be determined that there is a deficiency with respect to the payment of the contributions due from such employer, the commission shall assess the additional contributions, penalties, and interest due the State from such employer, give notice of such assessment to the employer, and make demand upon him for payment.

Additional remedy.

(e) As an additional remedy, the commission may issue to the clerk of the Supreme Court of New Jersey a certificate stating the amount of the employer's indebtedness under this chapter and describing the liability, and thereupon the clerk shall immediately enter upon his record of docketed judgments such certificates or an abstract thereof and duly index the same. Such certificate or abstract from the time of such docketing shall have the same force and effect as a judgment obtained in the Supreme Court of New Jersey, and the commission shall have all the remedies and may take all the proceedings for the collection thereof which may be had or taken upon the recovery of such a judgment in an action at law upon contract in said court. Such debt, from the time of the docketing thereof, shall be a lien on and bind the lands, tenements, and hereditaments of the debtor.

Docketing certificate.

The clerk of the Supreme Court shall be entitled to receive for docketing such certificate fifty cents ($0.50), and for a certified transcript of such docket fifty cents ($0.50). If the amount set forth in said certificate as a debt shall be modified or reversed by any court, the clerk of the Supreme Court shall, when an order of modification or reversal is filed, enter in the margin of the docket opposite the entry of the judgment the word "modified" or "reversed," as the case may be, and the date of such modification or reversal.

May deposit amount claimed.

The employer, or any other person having an interest in the property upon which the debt is a lien, may deposit the amount claimed in the certificate with the clerk of the Supreme Court of New Jersey, together with fifty dollars ($50.00) to cover in-

terest and the costs of court, or in lieu of depositing the amount in cash, may give a bond to the State of New Jersey in double the amount claimed in the certificate, and file the same with the clerk of the Supreme Court. Said bond shall have such surety and shall be approved in the manner now required by section 2:27–369 of the Revised Statutes. Bond.

After the deposit of said money or the filing of said bond, the employer or any other person having an interest in the said property, may review the legality or validity of the indebtedness or the amount thereof by certiorari, and the said deposit of cash shall be as security for and the bond shall be conditioned to prosecute the certiorari with effect and to pay and satisfy, if the debt be sustained, the amount adjudged by the court and all interest and costs. Review by certiorari.

Upon the deposit of said money or the filing of the said bond with the clerk of the Supreme Court, all proceedings on such judgment shall be stayed until the final determination of the cause, and moneys so deposited shall be subject to the lien of the indebtedness and costs and interest thereon, and the lands, tenements, and hereditaments of said debtor shall forthwith be discharged from the lien of the State of New Jersey and no execution shall issue against the same by virtue of said judgment. Proceeding stayed.

(f) If not later than one year after the date on which any contributions or interest thereon became due, an employer who has paid such contributions or interest thereon shall make application for an adjustment of his own contribution in connection with subsequent contribution payments, or for a refund of his own contribution because such adjustment cannot be made, and the commission or executive director shall determine that such contributions or interest or any portion thereof was erroneously collected, such employer shall be allowed to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be Application for adjustment.

made the said amount shall be refunded, without interest, from the fund. For like cause and within the same period, adjustment or refund may be so made on the initiative of the commission through the executive director.

Application for adjustment.

If not later than two years after the calendar year in which the wages were paid with respect to which refund of contribution is claimed by the employee, the employee shall make application, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of contribution is claimed, and the commission or executive director shall determine that such contribution or any portion thereof was erroneously collected, the contribution or portion erroneously collected shall be refunded, without interest, from the fund.

Penalties collected.

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

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 81

AN ACT concerning unemployment compensation, and supplementing chapter twenty-one of Title 43 of the Revised Statutes.

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

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

1. If by reason of an employee rendering service for more than one employer during any calendar year after the calendar year one thousand nine hundred and forty-four, the wages of the employee with respect to employment during such year exceed three thousand dollars ($3,000.00), the employee shall be entitled to a refund of any amount

of contribution, with respect to such wages imposed by section 43:21–7 of the Revised Statutes, deducted from such wages and paid to the treasurer of the State of New Jersey in accordance with the provisions of section 43:21–9 of the Revised Statutes, which exceeds the contribution with respect to the first three thousand dollars ($3,000.00) of such wages paid. Refund under this act may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the contribution; except that no such refund shall be made unless (1) the employee makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of contribution is claimed, and (2) such claim is made within two years after the calendar year in which the wages are paid with respect to which refund of contribution is claimed. No interest shall be allowed or paid with respect to any such refund.

Refund under this act.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 82

AN ACT concerning building and loan associations, and amending section 17:12–46 of the Revised Statutes.

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

1. Section 17:12–46 of the Revised Statutes is amended to read as follows:

Section amended.

17:12–46. Before any such association shall apportion profits or declare dividends the board of directors of such association shall transfer to a contingency reserve account, after provision for expenses, five per centum (5%) of the net earnings of such association since the last apportionment of

Directors to transfer to contingency reserve account.

profits or declaration of dividends, until said contingency reserve account is equal to seven and one-half per centum (7½%) of the total assets of such association, and if at any time said contingency reserve account shall become less than seven and one-half per centum (7½%) of the total assets of such association, then at least five per centum (5%) of the net earnings shall be transferred thereto before the apportionment of any profits or the declaration of any dividends until said contingency reserve account is restored to seven and one-half per centum (7½%) of the total assets of such association, and said contingency reserve account shall at all times be maintained for the purpose of absorbing unforeseen losses or extraordinary expenses; and the board of directors may, in its discretion, transfer additional amounts to the contingency reserve account.

Net earnings.

Contingency reserve account maintained.

If the contingency reserve account is less than ten per centum (10%) of the cost of any real estate acquired by any such association other than in the manner authorized by paragraphs "a" and "b" of section 17:12–41 of this Title, the association shall set up a real estate reserve account in an amount, at least, equal to the difference between the amount of such aforesaid contingency reserve account and ten per centum (10%) of the cost of such real estate, which such real estate reserve account shall remain unimpaired until such association disposes of such real estate, at which time the loss on such real estate, if any, shall be charged first to the real estate reserve account and second to the contingency reserve account required by the preceding paragraph, and any balance of such real estate reserve account required to be established by this section and in excess of the amount so required may, by resolution of the board of directors, be transferred to the undivided profits account of such association.

Set up a real estate reserve.

Any profits not apportioned or set apart to contingency or real estate reserve accounts may be held as undivided profits to be used as other earn-

ings, but no part of the undivided profits of any such association shall be transferred or used, except with the consent of the commissioner, for the purpose of declaring dividends or apportioning profits at a rate higher than the rate maintained by such association as an average for the preceding ten-year period. The aggregate amount of the contingency reserve account and the undivided profits shall in no case exceed twenty-five per centum (25%) of the total assets of any such association. Reserves in excess of the aggregate amount of the contingency reserve account and the undivided profits, as herein limited, heretofore or hereafter created, may be maintained by any such association, with the approval of the commissioner.

Consent of commissioner.

2. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 83

AN ACT concerning official advertising in certain cases, and supplementing Title 35 of the Revised Statutes.

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

1. When in the judgment of the governing body of any county, city, town, borough or township or any municipality or any division thereof, it is to the best interest to bring to the attention of the greatest possible number of its citizens, any of its legal notices, ordinances, resolutions, audits or notice of any kind, it shall be lawful for said governing body of any said county, city, town, borough or township or any municipality or any division of the same to cause to be published its legal notices, ordinances, resolutions, audits or notices

C. 35:2-3.1. Publish legal notices.

of any kind at the legal rates fixed by law, in any newspaper legally qualified published outside of said county, city, town, borough, township or municipality thereof, but circulated within said county, city, town, borough, township or municipality; *provided,* same is published within the State of New Jersey, when in their judgment said publication will inform the greatest number of its citizens of any action of said governing body; *and provided further,* that the number of insertions shall not exceed the number required by law.

Proviso.

Proviso.

C. 35:2-3.2. Addition to legal requirements.

2. This authorization of such publication shall in no wise relieve the governing body from the requirements of publication of all legal notices, ordinances, resolutions, audits or notices in any newspaper published within the county, city, borough, township or municipality now, duly authorized by law to publish the same but shall be in addition to the legal requirements and not in place thereof.

3. This act shall take effect immediately.

Approved April 6, 1944.

CHAPTER 84

AN ACT concerning old age assistance, and amending sections 44:7–5, 44:7–12 and 44:7–18 of the Revised Statutes.

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

Section amended.

1. Section 44:7–5 of the Revised Statutes is amended to read as follows:

Old age assistance.

44:7–5. Old age assistance shall be granted under this chapter to any person who:

Age.

a. Has attained the age of sixty-five years;

Lacks adequate support.

b. Lacks adequate support; is unable to support himself; is without parents, spouse, or children

able to support him and without other persons able and willing to support him;

Resident of State.

c. Is a resident of this State, and has so resided therein for a period of one year immediately preceding the date of application; if, however, Federal aid should not be made available to this State, or if, after being made available, it should be withdrawn, all persons whose applications are then pending and not acted upon and all persons applying thereafter for assistance under this chapter shall be required to have resided in and been domiciled in this State continuously for at least five years immediately preceding the date of application;

Not in need of prolonged care.

d. Is not, because of physical or mental condition, or other cause, in need of prolonged care in any public institution of a custodial, correctional or curative character;

Has not made a voluntary assignment.

e. Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance or for the purpose of evading responsibility under section 44:7–14 of this Title;

Need of assistance.

f. Is found, after due investigation and determination as hereinafter provided, to be in need of assistance.

Section amended.

2. Section 44:7–12 of the Revised Statutes is amended to read as follows:

Receive and act upon applications.

44:7–12. The county welfare board, as the bureau of old age assistance, shall receive and act upon applications filed pursuant to this chapter, and shall extend to those persons found to be eligible under the provisions of this chapter assistance adequate to provide for their reasonable maintenance and well-being. Old age assistance shall be granted in the form of cash or check. Necessary medical and health services and supplies may be granted in addition thereto in accordance with regulations of the State division. The amount and nature of assistance which any person shall receive, the manner of providing it, and the conditions upon which it is granted, shall be determined by the county welfare board as the bureau of old

Amount and nature of assistance.

age assistance with due regard to the conditions existing in each case, in accordance with the rules and regulations of the State division except that the director of welfare shall be empowered to make temporary grants of old age assistance as hereinafter provided subject to revision, continuance or discontinuance of the county welfare board at its next subsequent meeting. Such assistance shall be provided for the recipient only while living in his own or some other suitable family home within this State, except that upon special resolution by the county welfare board, after hearing, and upon written approval from the State division such assistance may be granted outside his own or other suitable family home; and with the further exception that upon special resolution by the county welfare board, assistance may be continued for such periods as the State division may by regulation prescribe for any individual already receiving same who moves outside the State of New Jersey, in any case where the State division finds that the State to which such individual has moved is willing to provide such supervision and to make such reports as the State division may require.

Section amended.

3. Section 44:7–18 of the Revised Statutes is amended to read as follows:

Investigation and record.

44:7–18. When the county welfare board receives an application for old age assistance, an investigation and record shall promptly be made of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this chapter and such other information as may be required by the rules of the State division. When immediate need is apparent and the evidence of eligibility immediately available is satisfactory to the director of welfare, he may issue a temporary grant of old age assistance pending completion of such investigation. Upon the completion of such investigation the county welfare board shall decide whether the applicant is eligible for and should receive old age assistance under this chapter, the

amount of assistance, the manner of paying or providing it, and the date on which the assistance shall begin. It shall notify the applicant of its decision in writing. Amount of assistance.

The county welfare board shall at once report to the State division its decision in each case together with copies of the application and record of investigation. Such decision shall be final, except that where an application is not acted upon by the county welfare board within thirty days after the filing of the application, or the application is denied, or the grant is deemed inadequate, either by the State division or by the applicant, the State division may review the case in its discretion or the applicant may appeal to the State division by filing a petition with the division setting forth the facts in full as to the necessity of such assistance. Whereupon a representative of the State division shall hold a fair hearing on the appeal, and if the appeal is sustained by the State division the payments of assistance in the amount determined by the State division must be paid by said county welfare board as herein provided. Report. Fair hearing on appeal.

4. This act shall take effect July first, one thousand nine hundred and forty-four. Effective date.

Approved April 6, 1944.

CHAPTER 85

AN ACT to establish a department of economic development, defining its functions, powers and duties, and providing thereby for the consolidation and co-ordination of post-war planning and activities, and making an appropriation therefor.

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

ARTICLE I

C. 52:27C-1. Department.

1. There is hereby created a Department of Economic Development, consisting of a co-ordinator and an economic council, hereinafter referred to as "the department."

C. 52:27C-2. Commissioner.

2. The co-ordinator, who shall be the commissioner of the department, hereinafter referred to as the "commissioner," shall be nominated and appointed by the Governor, by and with the advice and consent of the Senate. The commissioner shall serve for a term of four years and until his successor is appointed and qualified, and shall receive an annual compensation of twelve thousand dollars ($12,000.00).

C. 52:27C-3. Economic council.

3. The Economic Council shall consist of ten members representing war veterans, industry, labor, local government and the public generally. Each member shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of four years and until his successor is appointed and qualified, except that of those first appointed five shall be appointed for a term of two years. Members of the council shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties. The chairman of the Economic Council shall be elected by the members thereof.

C. 52:27C-4. Division.

4. There shall be within the department a division of veterans services, a division of municipal aid, a division of commerce, a division of planning and engineering and such other divisions as the commissioner may from time to time establish. Each division shall be under the supervision of a director who shall be a person qualified by training and experience to direct the work assigned to it; and two or more divisions may be consolidated by the commissioner. The director of each division shall be appointed by the Governor, by and with the advice and consent of the Senate. The compensation of each director shall be fixed by the commissioner, subject to the approval of the Governor. The commissioner may authorize one or more division heads to act for him and in his place, as his deputy or deputies, during his absence or disability.

Directors appointed by Governor.

C. 52:27C-5. Boards abolished.

5. The State Planning Board, State Housing Authority, New Jersey Council, South Jersey Transit Commission, Port Raritan District Commission and the State Service Officer are hereby abolished and their respective functions, powers and duties shall, as provided in this act, devolve upon the Department of Economic Development.

C. 52:27C-6. Municipal aid administration transferred.

6. The Municipal Aid Administration, all its functions, powers, duties, personnel, property and appropriations are hereby transferred to the department. and the functions, powers and duties of the director of municipal aid are vested in the commissioner.

C. 52:27C-7.

7. The commissioner, in addition to his powers and duties otherwise provided by this act, shall:

Powers.

a. Exercise all powers of the department not vested in the Economic Council.

Administers work.

b. Administer the work of the department.

Organization.

c. Prescribe the organization of the department and the duties of his subordinates and assistants.

Approval.

d. Subject to the approval of the Economic Council, appoint officers and employees, other

than the directors of the divisions, engage technical and professional experts and fix their compensation within the limits of available appropriations, except as may be otherwise provided by law.

Administers laws.

e. Administer all laws, which are by their terms included under the jurisdiction of the department, relating to veterans' guaranteed loans, grants-in-aid to municipalities for the preparation of engineering plans and specifications and for other purposes, urban redevelopment, housing and economic development.

Prepare orders.

f. Prepare for issuance by the Governor such executive orders relating to the work of the department as may be necessary.

Maintain liaison with local agencies.

g. Maintain liaison with local, State and Federal officials and agencies, concerned with matters of post-war planning or otherwise related to the functions of the department.

Enforcement.

h. Pursue any appropriate legal remedy in effectuation or enforcement of any of his powers and duties under this act.

C. 52:27C-8. Commissioner may prescribe activities.

8. When so directed by the Governor, the commissioner may prescribe activities to be undertaken or terminated by other State departments, agencies and instrumentalities, for the purpose of co-ordinating and integrating all post-war planning and activities under the government of the State.

C. 52:27C-9. May utilize services.

9. The commissioner may utilize the services of any State department, agency or instrumentality, and may accept the services of any local or Federal official or agency, or of business, civil and labor organizations, in such manner and in such capacities as he may deem appropriate. He may also delegate such of his powers as he may deem desirable for the efficient administration of the department to be exercised under his direction and supervision by division heads.

C. 52:27C-10. Powers.

10. The council, in addition to other powers and duties specifically vested in it, shall:

Advise commissioner.

a. Consult with and advise the commissioner with respect to the work of the department.

Approve.

b. Approve or disapprove the appointment of officers and employees other than directors of divisions, the engaging of technical and professional experts, and the fixing of their compensation by the commissioner.

Survey.

c. Survey and study the operations of the department.

Hold hearings.

d. Hold hearings when required by law or whenever it deems desirable.

Report to Governor.

e. Report to the Governor and the Legislature with respect to such matters relating to the work of the department and at such times as it may deem in the public interest.

C. 52:27C-11. Accept grants.

11. The department may apply for and accept grants from the Federal Government or any agency thereof, and may comply with the terms, conditions and limitations thereof, for any of the purposes of this act. Any moneys so received may be expended by the department, subject to any limitations imposed in the grant, to effectuate any of the purposes of this act, upon warrant of the comptroller on vouchers certified or approved by the commissioner.

Article II

TRADE AND INDUSTRY

C. 52:27C-12.

12. The department, through its division of commerce, shall formulate comprehensive economic policies for the development and use of natural and economic resources of the State. It shall organize and operate programs for:

Co-operation of employers.

a. The co-operation of employers and employees.

Working conditions.

b. The improvement of business and working conditions.

Collection of statistics.

c. The centralization, collection and preparation of statistics and researches of practical social and economic significance in this State.

Development of technical services.

d. The development of technical services and information useful to small business units.

Encouragement of free enterprise.

e. The increase of employment opportunities and encouragement of free private enterprise.

C. 52:27C-13. Analyze private work reserves.

13. The department shall, through such locally organized and operating agencies as the commissioner may deem appropriate, motivate, compile and analyze private work reserves. Such reserves shall consist of deferred and anticipated demands for private improvements, repairs, goods and services, that would provide employment upon the cessation of war production.

C. 52:27C-14. Develop programs.

14. The co-ordinator shall develop programs to guide and direct the use of private work reserves, so far as possible, into such periods and locations as appear in need of additional employment opportunities. He shall also use the private work reserve and such other information as the department may have to provide business marketing analysis and consumer information services.

C. 52:27C-15. Distribute information.

15. The department shall prepare, distribute and co-ordinate public informational materials pertaining to the industrial development, facilities and advantages of the State and to the social and economic programs sponsored by the department.

C. 52:27C-16. Survey and investigate.

16. The department shall survey, investigate and study the transportation, storage, port, harbor and terminal facilities and needs of the State and of particular industrial areas, and the co-ordination of such facilities with existing or future means of transportation. The department shall prepare a comprehensive and co-ordinated plan for the development of harbor, port, freight terminal and transportation facilities in the State, in co-operation with other State and interstate agencies having jurisdiction over related matters. The commissioner shall recommend to the Governor and

the Legislatutre such policies and projects as are suggested by such investigation, plans and studies.

C. 52:27C-17. May petition Federal agency.

17. The department may petition any Federal, State, municipal or other authority, administrative, judicial or legislative, having jurisdiction in the premises, for the adoption and execution of any physical improvement, change in method, rate or system of handling freight, warehousing, docking, lightering or transfer of freight or the transportation of passengers and baggage which the commissioner may find desirable to improve or facilitate commerce in and through the State, or to improve terminal and transportation facilities therein. The commissioner may intervene in any proceeding affecting the commerce of the State, but nothing herein shall impair the powers of any municipality or ad hoc authority to develop, improve or operate port and terminal facilities.

Article III

PHYSICAL PLANNING, HOUSING URBAN REHABILITATION

C. 52:17C-18. Master plan for development of State.

18. The department shall prepare and perfect from time to time a State master plan for the physical development of the State and prepare and keep current a proposed long term development program of major State improvements. The Economic Council shall hold public hearings on such plan or plans and shall transmit to the Governor and the Legislature such plans as it may agree upon. When approved by the Legislature, such plan or plans shall be known as the official State plan.

The department shall among other things:

Advise with departments.

a. Advise with the various State departments, agencies and instrumentalities, and with local authorities and individuals with a view to the co-ordination of all physical development plans, including plans for highways, airways and air terminals, parkways, parks, water supply development, flood con-

trol, land use, recreation areas and forest reservations that are related to an economical and comprehensive development of the State.

Make studies.

b. Make studies of rural land utilization with a view to the determination of the areas suitable for field crops, for reforestation, for watershed protection, for reclamation, for recreation, for summer residence and for industrial and urban expansion.

Investigate living conditions.

c. Investigate living, dwelling and housing conditions and into the means and methods of improving such conditions; determine where slum areas exist or where there is a shortage of decent, safe and sanitary dwelling accommodations for persons of low income; make studies and recommendations relating to the problem of clearing, replanning and reconstructing of slum areas, and the problem of providing dwelling accommodations for persons of low income; and co-operate with any public body in action taken in connection with such problems; and engage in research, studies and experimentation on the subject of housing.

Enforcement.

d. The department shall enforce compliance with the laws relating to local housing authorities, and shall succeed to all the functions, powers and duties of the State Housing Authority and of its director under chapters fourteen-A and fifteen of Title 55 of the Revised Statutes.

C. 52:17C-19. Notice to commissioner.

19. All State departments, agencies and instrumentalities, before entering upon any major public improvement or any project involving the acquisition of lands for public use, or before requesting a change of use or disposition of real property owned by the State or in which the State has an interest, shall give written notice to the commissioner of such contemplated or proposed action, and he shall have a reasonable opportunity to study and make recommendations thereon.

C. 52:17C-20. Department may prepare and make maps.

20. The department may prepare and make maps, planning studies and surveys for the collection and presentation of data pertaining to the physical development of the State and of its political subdivisions, and for this purpose may enter upon public and private lands to make surveys, photographs and tests.

C. 52:17C-21. Department to co-operate.

21. The department shall co-operate with county, municipal and regional planning boards for the purpose of aiding and encouraging an orderly and co-ordinated development of the State.

C. 52-17C-22. Public housing and development authority.

22. Within the department there shall be a "public housing and development authority" a body politic and corporate, with power to sue and be sued, to have a seal, and to have corporate succession, hereinafter referred to as "the authority." The powers and duties of this authority shall be vested in and may be exercised by the commissioner.

C. 52:27C-23. Authority to operate.

23. The authority shall have full power to undertake and operate any slum clearance or housing project for slum dwellers and families of low income and to manage and control its projects.

C. 52:27C-24.

24. In addition to the powers hereinabove specifically granted, the authority shall have the following powers:

Acquire property.

a. To acquire property, real, personal or mixed, or any interest therein by purchase, lease, gift, bequest, devise, exchange or eminent domain; to hold and improve property; to operate, lease, sell or exchange property; to construct or contract for the construction of projects and community facilities other than any project or facility which would be competitive with any existing public utility as the same is defined in section 48:2–13 of the Title Public Utilities of the Revised Statutes; to borrow money and secure the same by bonds or mortgages upon property held or to be held by it; but nothing herein contained shall be deemed to authorize the authority to pledge

the credit of this State or to constitute any bonds or mortgages so issued by it obligations of this State.

Receive grants.

b. To receive any grant or grants to be made by the Federal, State, county, municipal or other governments, or from any other sources.

Acquire title.

c. If, for any of the purposes hereunder, the authority shall find it necessary or convenient for it to acquire title to, or any lesser interest in, real property in this State, then the authority may acquire title to such property by purchase, lease or condemnation, and shall have the right to acquire realty by eminent domain in accordance with the provisions of chapter one of Title 20 of the Revised Statutes.

Make reasonable rules.

d. To make and enforce reasonable rules and regulations for the effectuation of its powers and purposes.

C. 27:52C-25.

25. Upon the completion of any housing project constructed by the authority, the authority shall have full power to maintain and operate the same at such scale of rentals as in the judgment of the authority shall be proper in the premises, but the maximum average rental in cities of the first class shall be ten dollars ($10.00) and in other municipalities eight dollars ($8.00). Nothing in this section shall be construed to limit the scale of rentals to be charged by any public housing corporation as provided by chapter fifteen of Title 55 of the Revised Statutes.

Average rental.

C. 52:27C-26. Property taxed.

26. All real property and improvements thereon owned by the authority shall be assessed and taxed in the municipalities wherein such lands are situate for State, school, county, municipal and improvement purposes in the same manner as other real property owned by individuals. The taxes for any given year shall be paid out of the rentals or income accruing from such property for the year in which the taxes are assessed.

C. 52:27C-27. Approval of governing body.

27. Notwithstanding any other provisions of law the approval of the governing body of the munici-

pality in which a housing project is to be located, pursuant to article three of this act, shall be obtained before such project may be undertaken, arranged for, or contracted.

ARTICLE IV

PUBLIC WORK RESERVE

C. 52:27C-28. Maintain a public work reserve.

28. The department shall prepare and maintain a public work reserve consisting of proposed projects of State, county, municipal and ad hoc agencies for public works and services. The projects included in the public work reserve shall be classified and arranged in order of priority so as to facilitate selection and timing of individual projects. For this purpose the department shall:

Keep records.

a. Keep records of the progress of design of all proposed public works and improvements for which funds for detailed plans and specifications have heretofore been made available to various State departments, so that the status, scope, cost, employment possibilities, materials and equipment needed for the execution of such projects after the war may be promptly available to officials and to the public;

Keep records of progress.

b. Keep like records of the progress of the preparation of plans and specifications for State projects in addition to the projects enumerated in paragraph (a);

Prepare information.

c. Prepare and maintain current progress information on the design of post-war projects by political subdivisions of the State.

C. 52:27C-29. Transmit to department.

29. Every department, agency, political subdivision, special district or ad hoc authority operating under the authority of this State which receives. anticipates or may apply for Federal financial assistance for a public improvement project shall transmit to the department of economic development a complete description of each such proposed project, in such form as the commissioner may prescribe.

C. 52:27C-30. File plans.

30. The commissioner may require any State department or agency or any political subdivision, special district or ad hoc authority of this State to file with the department, plans and specifications and certified copies of all correspondence, agreements and documents relating to any public improvement or service involving Federal financial assistance.

C. 52:27C-31. Commissioner to make recommendations.

31. Notwithstanding any other legislation heretofore enacted, no Federal financial assistance may hereafter be paid to or accepted by any political subdivision, special district or ad hoc authority of this State for a public improvement project unless and until the commissioner has had a reasonable opportunity to make recommendations with respect thereto and certifies that the public body sponsoring the project has complied with the requirements of this chapter, with respect to the filing of project descriptions, correspondence, agreements and documents.

C. 52:27C-32. Make and publish recommendations.

32. The commissioner shall, with the co-operation of other State departments, make and publish such recommendations with respect to any project as may be desirable to properly conserve the public interest.

C. 52:27C-33. Order surveys.

33. The commissioner may, after consultation with interested department heads, and upon approval of the economic council, order surveys to be made or plans and specifications to be prepared for any State or regional project or service, by force account or by contract with such private architectural or engineering consultants as he may designate, within the limits of available appropriations.

C. 52:27C-34. Make allotments.

34. The department may make allotments to any county, municipality or school district, all of which are hereinafter referred to as any "political subdivision," toward the cost of preparing detailed plans and specifications after the effective date of this act for local public works or improvements to be undertaken after the termination of the present war.

C. 52:27C-35. Apply to commissioner.

35. Any political subdivisions may apply to commissioner for allotment under this act upon such forms and subject to such rules and regulations not inconsistent herewith as the commissioner may prescribe. If the commissioner approves a proposed project, he shall allot to the applicant, out of such sums as may be appropriated for the purpose, an amount which he finds necessary to defray one-half the cost to the applicant of preparing detailed plans and specifications for the public work or improvement.

C. 52:27C-36. Total sum allotted.

36. Allotments may be made for detailed plans and specifications prepared either by force account or by contract with architects or engineers approved by the commissioner, but the total sum allotted for any project shall not exceed one-half the actual cost of the plans and specifications, or two per centum (2%) of the estimated construction cost approved by the commissioner, whichever is lower.

C. 52:27C-37. Granting application.

37. The granting of any application for State aid for plans and specifications, the acceptance of such aid or the preparation of such plans and specifications shall not be construed to commit either the State or the political subdivision to any contribution or appropriation whatsoever at any time for construction costs. The amount allotted for each project shall be paid to the political subdivision upon proof satisfactory to the commissioner of the completion of the plans and specifications and of their cost to the applicant; but the aggregate of all allotments or payments to any one political subdivision shall not exceed ten per centum (10%) of the total of all appropriations for local purpose allotments as contained in this or any other act.

C. 52:27C-38. Furnish assistance.

38. On the request of the commissioner, any department instrumentality or agency of the State or of any political subdivision shall furnish such assistance and data as the commissioner shall deem necessary to effectuate the purposes of the grant-in-aid for project plans and specifications provided by this act.

C. 52:27C-39. Authority of commissioner.

39. The authority of the commissioner to allot funds for plans and specifications for other State projects shall terminate six months after the cessation of present hostilities.

ARTICLE V

VETERANS' SERVICES

C. 52:27C-40. Division of veterans' services.

40. The commissioner shall establish and organize within the department a division of veterans' services, for the administration of the functions of the department relating to war veterans. The director of this division shall be a person qualified by experience and training and demonstrated interest in veterans' affairs, and shall be a war veteran.

C. 52:27C-41. Assist honorably discharged veterans.

41. The department shall co-ordinate all services and information for the benefit of war veterans and their dependents, and shall assist any honorably discharged war veteran or his dependents to obtain all Federal and State benefits to which he or his dependents may be entitled.

C. 52:27C-42. Department to organize program.

42. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and re-employment.

C. 52:27C-43. Plan of veterans' preference.

43. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped, and for first preference in such occupations for such disabled veterans.

C. 52:27C-44.

44. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate Federal, State and local agencies shall:

a. Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition under this chapter. Enroll employers.

b. Register veterans desiring employment, according to their occupational experience and capacities. Register veterans.

c. Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements, and certify the right of such unions to approved forms of public recognition under this chapter. Register labor unions.

d. Receive requests for workers from all participating employers. Receive requests.

e. Either refer qualified veterans (with preference to the disabled) in response to such requisitions or certify that veterans are not available. Refer qualified veterans.

45. The department shall review and approve or disapprove all policies and work programs of State departments, agencies and instrumentalities relating to war veterans' welfare, services or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor. C. 52:27C-45. Approve or disapprove work program.

46. The department shall, through its division of veterans' services, administer the veterans' guaranteed loan fund, as separately provided by law. C. 52:27C-46. Administer loan fund.

Article VI

GENERAL

47. The department shall be provided with suitable quarters which shall be sufficient to house all of the divisions of the department within the same building. C. 52:27C-47. Suitable quarters.

48. The employees, property and records of all agencies which are by this act abolished are hereby C. 52:27C-48. Records transferred.

transferred to the department of economic development.

C. 52:27C-49. Appropriations.

49. The appropriations of all agencies abolished by this act are hereby transferred to the department, and, in addition, the sum of one hundred fifty thousand dollars ($150,000.00), or so much thereof as may be necessary, is hereby appropriated for the administrative expenses of the department during the fiscal year ending June thirtieth, one thousand nine hundred and forty-five.

C. 52:27C-50. Appropriation for local purpose plans.

50. The sum of five hundred thousand dollars ($500,000.00) is hereby appropriated from any moneys in the State treasury not otherwise appropriated, for the preparation of local purpose plans and specifications in accordance with allotments to be made pursuant to this act.

C. 52:27C-51. Appropriation for State project plans.

51. The sum of fifty thousand dollars ($50,000.00) is hereby appropriated, from any moneys in the State treasury not otherwise appropriated, for the preparation of State project plans and specifications in accordance with allotments to be made pursuant to this act.

C. 52:27C-52.

52. The following sections, inclusive, of the Revised Statutes are hereby repealed:

Sections repealed.

Revised Statutes, sections 12:12–1 to 12:12–10, 38:24–1 to 38:24–2, 48:21–1 to 48:21–19, 52:9C–1 to 52:9C–4, 52:21–1 to 52:21–11, 55:14–1 to 55:14–13.

C. 52:27C-53. Effective date.

53. This act shall take effect on July first, one thousand nine hundred and forty-four, except that appointments may be made and any action may be taken prior thereto in preparation for the operation of the department; *provided, however,* that nothing in this act contained shall be construed to apply to property now or hereafter subject to the jurisdiction or supervision of the Quartermaster-General.

Proviso.

Approved April 6, 1944.

CHAPTER 86

AN ACT relating to members of police and fire departments of counties and municipalities of this State and State motor vehicle inspectors who enter the armed forces or merchant marine during the present war.

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

1. Any time spent by any member of a police or fire department of any municipality or county of this State or by any State motor vehicle inspector in the armed forces of the United States during the present war shall be counted as time spent in the active service of the police or fire department of such municipality or county or of the State Department of Motor Vehicles, and any such policeman, fireman or motor vehicle inspector shall be entitled to be advanced in grade and to all increased pay that he might have received had he not entered the service of the United States but remained in active service in such police or fire department or State Department of Motor Vehicles.

C. 38:16-6. Time spent in service.

2. This act shall take effect immediately.

Approved April 10, 1944.

CHAPTER 87

AN ACT to amend "An act concerning the rights, benefits and privileges of certain persons holding office, position or employment under the government of the State of New Jersey or of any county, municipality, school district or other political subdivision of the State, or under any board, body, agency or commission of the State or of any county, municipality or school district, who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the United States Merchant Marine or the active service of the Women's Army Auxiliary Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy," passed June sixteenth, one thousand nine hundred and forty-two (P. L. 1942, c. 252), as said title was amended by chapter three hundred and twenty-six of the laws of one thousand nine hundred and forty-two (P. L. 1942, c. 326).

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

Section amended.

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

C. 38:23-5. Active military or naval service.

1. No person holding any office, position or employment under the government of the State of New Jersey or of any county, municipality, school district or other political subdivision of the State, or under any board, body, agency or commission of

the State or of any county, municipality or school district, who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Women's Army Auxiliary Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy and who, at the time of such entry was or is a member in good standing of any pension, retirement or annuity fund, shall suffer the loss or impairment of any of the rights, benefits or privileges accorded by the laws governing such pension, retirement or annuity funds; and the time spent in such service by any such person shall be considered as time spent in the office, position or employment held by him at the time of his entry into such service, in all calculations of the amount of pension to which he is entitled and of the years of service required to entitle him to retire; *provided, however,* that in the event of the death or disability of such person while in such service the pension to be paid such person or his dependents shall be the amount, if any, remaining after calculating the amount of pension that would be paid if such person had continued to hold such office, position or employment until the time of his death or disability and had continued to receive the same compensation as he received at the time of his entry into such service, and deducting therefrom the amount of any pension received or available to such person or his dependents from the government of the United States. Proviso.

2. This act shall take effect immediately.

Approved April 10, 1944.

CHAPTER 88

AN ACT establishing an elective system of compensation for the occupational diseases known as silicosis and asbestosis, and regulating procedure for the determination of liability and compensation thereunder, and supplementing chapter fifteen of Title 34 of the Revised Statutes.

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

C. 34:15-35.1. May elect to accept provisions of act.

1. Employer and employee may elect to accept or not to accept the provisions of this act. Such election in respect to the provisions of this act may be made in like manner as provided in sections 34:15–7 to 34:15–11 of the Revised Statutes in respect to accidents. When employer and employee have accepted the provisions of this act every such employee who, in the regular course of his employment, suffers total disability or death as the result of silicosis or asbestosis, as hereinafter defined, shall be entitled to workmen's compensation, as hereinafter provided in this act.

C. 34:15-35.2. Definitions, "Silicosis."

2. Definitions: (a) "Silicosis" means a disease of the lungs, due to breathing air containing silicon dioxide (SiO_2) dust, characterized anatomically by generalized fibrotic changes in the lungs, with a development of miliary nodulation, demonstrable by X-ray examination or by autopsy, resulting from any process or occupation involving the inhalation of silicon dioxide (SiO_2) dust.

"Asbestosis."

(b) "Asbestosis" means a disease of the lungs, due to breathing air containing asbestos dust, characterized anatomically by generalized fibrotic changes in the lungs, demonstrable by X-ray examination or by autopsy, resulting from any process or occupation involving the inhalation of asbestos dust.

(c) The word "disability" means the state of an employee's being actually incapacitated, because of silicosis or asbestosis, from performing his work in the last occupation in which he was injuriously exposed to the hazards of such disease. The word "disablement" means the event of being so incapacitated. "Disability."

3. Where an employee suffers from silicosis or asbestosis as defined in section two of this act, and is thereby totally disabled, as disability is herein defined, or dies as a result of such disease, and the disease was due to the nature of said last occupation, in which he was employed within the period previous to his disablement as limited in this section and in sections four and five of this act, if he and his employer in such occupation were then subject to this act, the employee, or in case of his death his dependents shall, except as otherwise provided in this act, be entitled to compensation in the amount and payable in the manner provided in article two of chapter fifteen of Title 34 of the Revised Statutes, as if such total disability, as herein defined, or death resulted from injury by accident. C. 34:15-35.3. Entitled to compensation.

No compensation shall be payable for silicosis or asbestosis if the employee, at the time of entering into the employment of the employer by whom the compensation would otherwise be payable, falsely represented himself in writing as not having previously been disabled, laid off, or compensated in damages or otherwise, because of either of such diseases. No compensation payable.

Where silicosis or asbestosis is aggravated by any other disease or injury, not itself compensable, or where disability from any other cause, not itself compensable, is aggravated, prolonged, accelerated or in anywise contributed to by silicosis or asbestosis, or where death from any other cause, not itself compensable, is accelerated or in anywise contributed to by silicosis or asbestosis, the compensation payable shall be reduced and limited to such proportion only of the compensation that would be payable if silicosis or asbestosis Compensation reduced.

were the sole cause of the disability, as herein defined, or death, as silicosis or asbestosis, as a causative factor, bears to all the causes of such disability or death, such reduction in compensation to be effected by reducing the number of weekly or monthly payments or the amount of such payments, as indicated by the circumstances of the particular case.

C. 34:15-35.4. No compensation for death.

4. No compensation for death from silicosis or asbestosis shall be payable to any person whose relationship to the deceased, which, under the provisions of this act would give a right to compensation, arose subsequent to the beginning of the first compensable disability, as herein defined, save only to afterborn children.

Where compensation is payable for silicosis or asbestosis under this act, the employer in whose employment the employee was last injuriously exposed to the hazards of such disease for sixty days or more, and the insurance carrier, if any, on the risk when such employee was last so exposed under such employer, shall alone be liable therefor; the amount of the compensation shall be based upon the wages, as defined in section 34:15–37 of the Revised Statutes, of the employee when last so exposed under such employer; and the notice of injury and claim for compensation, as hereinafter required in section six of this act, shall be given and made to such employer.

Amount of compensation.

Employer not liable.

An employer shall not be liable for any compensation for silicosis or asbestosis unless such disease shall be due to the nature of an employment in which the hazards of such disease actually exist and are characteristic of and peculiar to the trade, occupation, process or employment, and was actually incurred in his employment, and unless total disability, as herein defined, or death results within three years after the last injurious exposure to such disease in such employment, or, in case of death, unless death follows continuous total disability, as herein defined, from such disease, commencing within the period above limited, for which

compensation has been paid or awarded or claim filed as provided in this act and results within seven years after such last exposure.

C. 34:15-35.5. Absence of conclusive evidence.

5. In the absence of conclusive evidence in favor of the claim, disability, as herein defined, or death shall be presumed in fact not to be due to the nature of any occupation within the provisions of section two of this act, unless during the ten years immediately preceding the date of disablement the employee has been exposed to the inhalation of silicon dioxide (SiO_2) dust or asbestos dust, as the case may be, over a period of not less than five years, one year of which shall have been in this State, under a contract of employment existing in this State; *provided, however,* that if the employee shall have been employed by the same employer during the whole of such five-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this State.

Proviso.

Compensation or damages.

Neither compensation nor damages shall be payable for partial disability due to silicosis or asbestosis in respect to any employee subject to the provisions of this act, nor shall there be any liability in tort for damages for total disability or for death from silicosis or asbestosis. In the event of total disability, as herein defined, or death from uncomplicated silicosis or asbestosis, compensation shall, except as otherwise provided in this act, be payable to employees and their dependents as follows:

Compensation for total disability.

(a) Compensation for total disability, as herein defined, or death shall be paid as specified in paragraph b of section 34:15–12 of the Revised Statutes; except as provided in paragraph (b) of this section.

Compensation payable.

(b) If disablement occurs, or, in the case of no claim for prior disablement, if death occurs, in the calendar month in which this act becomes effective, the total compensation payable, whether for disability, as herein defined, or death or both, shall not

exceed the sum of one thousand dollars ($1,000.00). If disablement occurs, or, in the case of no claim for prior disablement, if death occurs, during the next calendar month, the total compensation payable shall not exceed one thousand and fifty dollars ($1,050.00). Thereafter the total amount of compensation for death and total disability, as herein defined, shall increase at the rate of fifty dollars ($50.00) per month; the aggregate amount payable to be limited according to the foregoing formula for the month in which total disability, as herein defined, occurs, or, in case of no claim for prior disability, in which death occurs. Such progressive increase in the limitation of the total amount in any event payable for total disability, as herein defined, and death due to silicosis or asbestosis shall continue only until such total amount equals but does not exceed the sums which would be payable to the particular employee or his dependents had such total disability, as herein defined, and death been due to an injury by accident.

C. 34:15-35.6. Written notice given.

6. Unless the employer during the continuance of the employment shall have actual knowledge that the employee has contracted silicosis or asbestosis, or unless the employee or someone on his behalf, or some of his dependents, or someone on their behalf, shall give the employer written notice that the employee has contracted a compensable disease, which notice to be effective must be given within three years and ninety days after his last injurious exposure to such disease in such employment, and also in case of death from silicosis or asbestosis unless written notice of such death shall be given to the employer within ninety days thereafter, no compensation shall be payable on account of the death or disability, as herein defined, of the employee caused by silicosis or asbestosis.

Claims barred.

All claims for compensation for silicosis or asbestosis shall be forever barred unless a petition is filed in duplicate with the secretary of the workmen's compensation bureau, at the State House in Trenton, within one year from the date of disable-

ment or death, as the case may be, or in case an agreement of compensation for silicosis or asbestosis has been made between such employer and such claimant, then within one year after the failure of the employer to make payment pursuant to the terms of such agreement; or in case a part of the compensation has been paid by such employer, then within one year after the last payment of compensation.

Whenever total disability, as herein defined, from silicosis or asbestosis occurs to any employee it shall be the duty of the employer promptly upon obtaining knowledge or notice thereof to at once report such disability in the manner specified in article six of chapter fifteen of Title 34 of the Revised Statutes; but nothing in such report shall be construed to amount to an admission of fact on the part of the employer of anything therein reported. Report disability.

This act shall not apply to cases of silicosis or asbestosis in which the last injurious exposure to the hazards of such diseases occurred before the effective date of this act. Act not to apply.

7. Any employer, employee, beneficiary or person feeling aggrieved by any decision of the workmen's compensation bureau affecting his interests under this act may appeal the same in the manner provided in sections 34:15–66, 34:15–66.1 and 34:15–67 of the Revised Statutes. C. 34:15-35.7. Appeal.

8. Except as otherwise provided in this act, the provisions of articles two to six, both inclusive, of chapter fifteen of Title 34 of the Revised Statutes applicable to workmen's compensation for injury or death by accident, including compulsory insurance, insurance carriers, and insurance rates, shall apply to employers, employees and insurance carriers subject to this act. C. 34:15-35.8. Apply to carriers.

9. This act shall take effect on January first, one thousand nine hundred and forty-five. C. 34:15-35.9. Effective.

Approved April 10, 1944.

CHAPTER 89

AN ACT to validate sales of land at public auction or private sale by the several municipalities of this State in certain cases.

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

Sales validated.

1. All sales heretofore made at public auction or at private sale of any lands and premises by any municipality are hereby validated and confirmed and any conveyances by such municipality of said lands to the purchaser or purchasers thereof, upon the delivery of the deed therefore, shall be construed in all courts of this State to convey or have conveyed all the right, title and interest of any such municipality of, in and to the said land and premises; *provided, however,* that such sales shall have been or shall be authorized or confirmed by resolution of the governing body of such municipality; *and provided further,* that this act shall not be deemed to validate any defective or invalid assignment of any certificate of sale for taxes, assessments or other liens of any municipality, or to cure any infirmity in any such assignment.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 10, 1944.

CHAPTER 90

AN ACT to define the powers of the mayor, in cities governed by a common council, city council or board of aldermen, now or hereafter having a population of not less than fifteen thousand nor more than thirty thousand, in connection with voting in the governing bodies of such cities in certain cases in which such governing bodies shall be unable to act because of an equally divided vote or of a failure to cast a sufficient number of affirmative votes.

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

C. 40:171-24.1. Governing body unable to elect.

1. In any city of this State now or hereafter having a population of not less than fifteen thousand nor more than thirty thousand inhabitants as ascertained by the preceding Federal census and governed by a common council, city council, or board of aldermen, whenever the governing body at any meeting shall be unable (a) to elect, appoint or select any person to fill any office or position, including, without limitation, the filling of any vacancy in the membership of such governing body, (b) to adopt any resolution or ordinance, or (c) to take any other action whatsoever, by reason, in any such case, of an equally divided vote or of a failure to cast a sufficient number of affirmative votes, and, at the time of such meeting, either (i) a vacancy shall exist in the membership of such governing body or (ii) a member of such governing body shall be in the active military or naval service of the United States or of this State and shall fail to attend such meeting, then, and in any such event, it shall be the right of the mayor of such city to, and he may, vote in such governing body upon any such election, appointment or selec-

Mayor may vote.

tion, or the adoption of any such resolution or ordinance or the taking of any such other action.

2. This act shall take effect immediately.

Approved April 10, 1944.

CHAPTER 91

AN ACT validating the sale of certain lands, tenements, hereditaments or real estate made under any decree in the Court of Chancery, or in the Circuit Court or court of common pleas of any county.

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

Sale not invalidated.

1. No sale of any lands, tenements, hereditaments or real estate made by virtue of any suit heretofore commenced in the Court of Chancery or in the Circuit Court or court of common pleas of any county shall be invalidated or impaired by reason of the complainant having failed to annex to the bill of complaint a duly verified affidavit to the effect that any person mentioned in said bill or his heirs, devisees and personal representatives are proper parties defendant to the said bill of complaint and that the complainant, after diligent and careful inquiry therefore made as in case of absent defendants, has been unable to ascertain whether such person is still alive, or if he is unknown or believed to be dead, has been unable to ascertain the names and residences of his heirs, devisees or personal representatives, or such of them as may be proper parties defendant; *provided, however,* that the proceedings in said cause were otherwise valid and effective against such party named and his heirs, devisees and personal representatives.

Proviso.

2. This act shall take effect immediately.

Approved April 10, 1944.

CHAPTER 92

AN ACT to provide for the submission to the people for their approval and ratification or rejection, as a whole, at the general election to be held in the year one thousand nine hundred and forty-four, pursuant to the authority given by the people at the general election held in the year one thousand nine hundred and forty-three, of a Revised Constitution for the State agreed upon by the One Hundred Sixty-eighth Legislature by a majority of the members elected to each of the two houses, pursuant to said authority, and making an appropriation therefor.

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

1. Pursuant to the authority given by the people at the general election held in the year one thousand nine hundred and forty-three, the One Hundred Sixty-eighth Legislature by a majority of the members elected to each of the two houses has agreed upon a Revised Constitution for the State, as follows:

PREAMBLE.—We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this Constitution.

ARTICLE I

RIGHTS AND PRIVILEGES

1. All men are by nature free and independent, and have certain natural and unalienable rights,

among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

2. All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have the right at all times to alter or reform the same, whenever the public good may require it.

3. No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor under any pretence whatever be compelled to attend any place of worship contrary to his faith and judgment; nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately and voluntarily engaged to perform.

4. There shall be no establishment of one religious sect in preference to another; no religious test shall be required as a qualification for any office or public trust; and no person shall be denied the enjoyment of any civil right merely on account of his religious principles.

5. Every person may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

6. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be

violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the papers and things to be seized.

7. The right of trial by jury shall remain inviolate; but the Legislature may authorize the trial of civil suits, when the matter in dispute does not exceed fifty dollars, by a jury of six men.

8. In all criminal prosecutions the accused shall have the right to a speedy and public trial by an impartial jury; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel in his defense.

9. No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy; or in the militia, when in actual service in time of war or public danger.

10. No person shall, after acquittal, be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or presumption great.

11. The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion the public safety may require it.

12. The military shall be in strict subordination to the civil power.

13. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war except in a manner prescribed by law.

14. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

15. Excessive bail shall not be required, excessive fines shall not be imposed, and cruel and unusual punishments shall not be inflicted.

16. Private property shall not be taken for public use without just compensation; but land may be taken for public highways as heretofore until the Legislature shall direct compensation to be made.

17. No person shall be imprisoned for debt in any action, or on any judgment founded upon contract, unless in cases of fraud; nor shall any person be imprisoned for a militia fine in time of peace.

18. The people have the right freely to assemble together, to consult for the common good, to make known their opinions to their representatives, and to petition for redress of grievances.

19. No county, city, borough, town, township, or village shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual, association, or corporation, or become security for or be directly or indirectly the owner of any stock or bonds of any association or corporation.

20. No donation of land or appropriation of money shall be made by the State or any municipal corporation to or for the use of any society, association, or corporation whatever.

21. This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.

Article II

DISTRIBUTION OF THE POWERS OF GOVERNMENT

1. The powers of the government shall be divided among three distinct branches, the legislative, executive, and judicial. No person or persons belonging to or constituting one of these branches shall exercise any of the powers properly belonging to either of the others, except as expressly provided in this Constitution.

ARTICLE III

LEGISLATIVE

SECTION I

1. The legislative power shall be vested in a Senate and General Assembly.

2. No person shall be a member of the Senate who shall not have attained the age of thirty years, and have been a citizen and resident of the State for four years, and of the county for which he shall be chosen one year next before his election; and no person shall be a member of the General Assembly who shall not have attained the age of twenty-one years, and have been a citizen and resident of the State for two years, and of the county for which he shall be chosen one year next before his election; but no person shall be eligible as a member of either house of the Legislature who shall not be entitled to the right of suffrage.

3. The two houses shall meet separately, in regular session, annually on the second Tuesday in January and shall adjourn *sine die* within ninety days thereafter; the two houses shall meet separately, in special session, whenever called by the Governor and shall adjourn *sine die* within fifteen days thereafter; but no limitation on duration of a regular or special session shall prevent the continuance of any such session until six weeks after the date of transmittal of an executive order or its approval, whichever is sooner. The Senate shall meet at other times only at the call of its President or of the Governor to receive or act upon nominations, or at the call of its President to try impeachments. The General Assembly shall meet at other times only at the call of its Speaker to consider impeachments.

4. Special sessions of the Legislature shall be called by the Governor upon petition of a majority of all the members of each house and may be called by the Governor at such other times as in his opin-

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ion the public interest may require. In either event, the call for a special session shall specify the matter or matters to be considered, and no other matter shall be considered at such session which is not specified in such call or in any other message from the Governor delivered during such session.

5. Legislative Committees, created by joint or concurrent resolution of the Legislature or created by resolution of either house thereof, shall continue with all powers delegated to them, notwithstanding any adjournment of the Legislature, unless restricted by the Legislature or house creating them.

SECTION II

1. The Senate shall be composed of one Senator from each county in the State elected by the legally qualified voters of the counties, respectively, for a term beginning at noon on the second Tuesday in January next following his election and ending at noon on the second Tuesday in January four years thereafter.

2. The members of the Senate shall be elected in two classes so that, as nearly as may be, one-half of the total number shall be elected biennially.

3. The General Assembly shall be composed of members elected biennially by the legally qualified voters of the counties, respectively, each for a term beginning at noon on the second Tuesday in January next following his election and ending at noon on the second Tuesday in January two years thereafter. The members of the General Assembly shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. The present apportionment shall continue until the next census of the United States shall have been taken, and an apportionment of members of the General Assembly shall be made by the Legislature at its first session after the next and every subsequent census, and when made, shall remain unaltered until another census shall have

been taken; provided that each county shall at all times be entitled to one member; and the whole number of members shall never exceed sixty.

4. Vacancies in the office of Senator or Assemblyman shall be filled by election for the unexpired terms only, as may be provided by law.

SECTION III

1. Members of the Senate and General Assembly shall receive annually the sum of two thousand dollars during the term for which they shall have been elected, and while they shall hold their office, and no other allowance or emolument, directly or indirectly, for any purpose whatever. The President of the Senate and the Speaker of the General Assembly shall, by virtue of their offices, receive an additional compensation, equal to one-half of their allowance as members.

2. Members of the Senate and General Assembly shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the sitting of their respective houses, and in going to and returning from the same: and for any speech or debate, in either house, they shall not be questioned in any other place.

3. No member of the Senate or General Assembly shall, during the term for which he was or shall have been elected, be nominated, elected, or appointed to any State civil office or position, which shall have been created by law, or the emoluments whereof shall have been increased by law, during such term. No member of the Senate or General Assembly shall during any regular session of the Legislature, qualify into any State office or position.

4. If any member of the Legislature shall become a member of Congress or shall accept any Federal or State office, or position, of profit, his seat shall thereupon be vacant.

5. No member of Congress, no person holding any Federal or State office, or position, of profit

and no judge of any court shall be entitled to a seat in the Legislature.

6. Members of the Legislature shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be,) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will faithfully discharge the duties of Senator (or member of the General Assembly, as the case may be) according to the best of my ability." And members-elect of the Senate or General Assembly are hereby empowered to administer to each other the said oath or affirmation.

7. Every officer of the Legislature shall, before he enters upon his duties, take and subscribe the following oath or affirmation: "I do solemnly promise and swear (or affirm) that I will faithfully, impartially, and justly perform all the duties of the office of....., to the best of my ability and understanding; that I will carefully preserve all records, papers, writings, or property entrusted to me for safekeeping by virtue of my office and make such disposition of the same as may be required by law."

SECTION IV

1. Each house shall direct writs of election for supplying vacancies occasioned by death, resignation, or otherwise; but if vacancies occur during the recess of the Legislature, the writs may be issued by the Governor under such regulations as may be prescribed by law.

2. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of all its members shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties, as each house may provide.

3. Each house shall choose its own officers, determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds of all its members, may expel a member.

4. Each house shall keep a journal of its proceedings, and from time to time publish the same; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

5. Neither house, during the session of the Legislature, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

6. Members of the Legislature may be appointed, by the Legislature or otherwise, and may serve as members of any commission, committee, or other body whose main purpose is to aid or assist in the performance of quasi-legislative functions or to aid or assist the Legislature in performing its functions; provided, that no compensation shall be paid to any member of the Legislature because of such membership.

7. Lobbying in the legislative chambers of either house shall be prohibited. The Legislature shall impose suitable penalties for violations of this provision.

SECTION V

1. The laws of this State shall begin in the following style, "Be it enacted by the Senate and General Assembly of the State of New Jersey."

2. All bills for raising revenue shall originate in the General Assembly; but the Senate may propose or concur with amendments, as on other bills.

3. All bills and joint resolutions shall be read three times in each house, before the final passage thereof; and no bill or joint resolution shall pass unless there be a majority of all the members of each body personally present and agreeing thereto; and the yeas and nays of the members voting

on such final passage shall be entered on the journal.

4. To avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object and that shall be expressed in the title. This paragraph, however, shall not be given effect to invalidate any law adopting or enacting a compilation, consolidation, revision, or rearrangement of all or part of the statutory law.

5. No law shall be revived or amended by reference to its title only, but the act revived, or the section or sections amended, shall be inserted at length.

6. No act shall be passed which shall provide that any existing law, or any part thereof, shall be made or deemed a part of the act, or which shall enact that any existing law, or any part thereof, shall be applicable, except by inserting it in such act.

7. The statutory law shall be continuously revised by enactment, from time to time, of revisions of such parts thereof as need appears and the Legislature shall designate by law a permanent law revision agency to examine all of the statutory law, and to recommend to the Legislature such revisions thereof as are needed, from time to time, to the end that all the statutory law shall be completely revised where needed, upon recommendation of such agency or otherwise, at least once every twenty years.

Section VI

1. Neither the Legislature nor either house thereof shall elect or appoint any executive, administrative, or judicial officer, except as expressly provided in this Constitution.

2. No divorce shall be granted by the Legislature.

3. The Legislature shall not pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or depriving a party of any remedy for enforcing a contract which existed when the contract was made.

4. It shall be lawful to hold, carry on, and operate in this State race meetings whereat the trotting, running or steeplechase racing of horses only may be conducted between the hours of sunrise and sunset on week days only and in duly legalized race tracks, at which the pari-mutuel system of betting shall be permitted. No lottery, roulette, or game of chance of any form shall be authorized by the Legislature in this State, and no ticket in any lottery shall be bought or sold within this State, or offered for sale; nor shall pool-selling, bookmaking, or gambling of any kind be authorized or allowed within this State, except pari-mutuel betting on the results of the racing of horses only, from which the State shall derive a reasonable revenue for the support of government; nor shall any gambling device, practice, or game of chance, or pari-mutuel betting thereon now prohibited by law, except as herein stated and otherwise provided, be legalized, or the remedy, penalty, or punishment now provided therefor be in any way diminished.

5. The Legislature may enact general laws under which municipalities, other than counties, may adopt zoning ordinances limiting and restricting to specified districts and regulating therein, buildings and structures according to their construction, and the nature and extent of their use and the nature and extent of the uses of land. The exercise of such authority shall be deemed to be within the police power of the State and such laws shall be subject to repeal or alteration by the Legislature.

6. Any agency or political subdivision of the State or any agency of a political subdivision thereof, which is empowered to take or otherwise acquire private property for any public highway, parkway, place, improvement, or use, may be au-

thorized by law to take or otherwise acquire the fee or any lesser interest, and may be authorized by law to take or otherwise acquire a fee in, easements upon, or the benefit of restrictions upon, abutting property to preserve and protect the public highway, parkway, place, improvement, or use; but such taking shall be with just compensation.

7. The Legislature shall provide for the maintenance and support of a thorough and efficient system of public free schools for the instruction of all children in this State between the ages of five and eighteen years. The fund for the support of public free schools, and all money, stock and other property, which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund, shall be securely invested, and remain a perpetual fund; and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public free schools, for the equal benefit of all the people of the State; and it shall not be competent for the Legislature to borrow, appropriate, or use the said fund or any part thereof, for any other purpose, under any pretense whatever.

8. No general law shall embrace any provision of a private, special, or local character. The Legislature shall not pass any private, special, or local laws:

(1) Authorizing the sale of any lands belonging in whole or in part to a minor or minors or other persons who may at the time be under any legal disability to act for themselves.
(2) Creating, increasing, or decreasing the emoluments, term, tenure or pension rights of public officers or employees.
(3) Relating to taxation or exemption therefrom except as expressly provided in this Constitution.

(4) Laying out, opening, altering, and working roads or highways.
(5) Vacating any road, town plot, street, alley or public grounds.
(6) Regulating the internal affairs of municipal corporations, formed for local government, and counties; appointing local offices or commissions to regulate municipal affairs.
(7) Selecting, drawing, summoning, or impaneling grand or petit jurors.
(8) Changing the law of descent.
(9) Granting to any corporation, association or individual any exclusive privilege, immunity or franchise whatever.
(10) Granting to any corporation, association or individual the right to lay down railroad tracks.
(11) Providing for changes of venue in civil or criminal cases.
(12) Providing for the management and support of public free schools.

The Legislature shall pass general laws providing for the cases enumerated in this paragraph, and for all other cases which, in its judgment, may be provided for by general laws. The Legislature shall pass no special act conferring corporate powers, but shall pass general laws under which corporations may be organized and corporate powers of every nature obtained, subject, nevertheless, to repeal or alteration at the will of the Legislature.

9. No private, special, or local bill shall be passed, unless public notice of the intention to apply therefor, and of the general object thereof, shall have been previously given. Such public notice shall be given at such time and in such mode and shall be so evidenced and the evidence thereof shall be so preserved as may be provided by law.

10. Individuals or private corporations shall not be authorized to take private property for public use, without just compensation first made to the owners.

SECTION VII

1. The Legislature may provide by law respecting the enrolling, organizing, and arming of the militia, the appointment, terms of service, qualifications, and removal of its officers other than its commander-in-chief, and all other matters relating to the militia.

ARTICLE IV

EXECUTIVE

SECTION I

1. The executive power shall be vested in a Governor.

2. The Governor shall be not less than thirty years of age, and shall have been for twenty years, at least, a citizen of the United States, and a resident of this State seven years next before his election, unless he shall have been absent during that time on the public business of the United States or of this State.

3. No member of Congress or person holding any Federal or State office, or position, of profit shall exercise the office of Governor; and if the Governor shall become a member of Congress or shall accept any Federal or State office, or position, of profit, his office of Governor shall thereupon be vacant. No Governor shall be elected or appointed by the Legislature to any office during the term for which he shall have been elected Governor.

4. The Governor shall be elected by the legally qualified voters of this State. The person having the highest number of votes shall be the Governor; but if two or more shall be equal and highest in votes, one of them shall be elected Governor by the vote of a majority of the members of both houses in joint meeting at the regular legislative session next following the election for Governor by the people. Contested elections for the office of Gov-

ernor shall be determined in such manner as may be provided by law.

5. A Governor elected for a full term shall hold his office for four years beginning at noon on the second Tuesday of January next following the election for Governor by the people and ending at noon on the second Tuesday of January four years thereafter. The Governor, when elected for any full term, shall be incapable of holding the office again until the second Tuesday of January in the fourth year after the expiration of the term.

6. In case of the death of the Governor-elect before he is qualified into office, in case of the death, resignation or removal from office of the Governor or in case of a vacancy in the office for any other cause, the powers, duties and emoluments of the office shall devolve upon the President of the Senate, and in case of his death, resignation or removal, then upon the Speaker of the General Assembly for the time being, until a Governor be elected and qualified.

7. In case of the impeachment of the Governor, his absence from the State or inability to discharge the duties of his office, the powers, duties and emoluments of the office shall devolve upon the President of the Senate, and in case of his death, resignation or removal, then upon the Speaker of the General Assembly for the time being, until the Governor impeached or absent shall be acquitted or shall return or the inability shall cease, or until a Governor be elected and qualified.

8. In case of a vacancy in the office of Governor, a Governor shall be elected to fill the unexpired term at the next general election succeeding the vacancy unless the vacancy shall occur within sixty days immediately preceding a general election in which case he shall be elected at the second succeeding general election; but no election to fill an unexpired term shall be held in any year in which a Governor is to be elected for a full term. A Governor elected for an unexpired term may assume his office as soon as his election has been determined.

9. The Governor shall, at stated times, receive for his services a salary, which shall be neither increased nor diminished during the period for which he shall have been elected.

10. He shall be the commander-in-chief of the militia and all the military and naval forces of the State; he shall communicate by message to the Legislature at the opening of each regular session, and at such other times as he may deem necessary, the condition of the State, and recommend such measures as he may deem expedient; he shall take care that the laws be faithfully executed, and grant commissions to all officers elected or appointed pursuant to the provisions of this Constitution. All officers whose election or appointment shall not otherwise be provided for by this Constitution or by law shall be nominated by the Governor and appointed by him with the advice and consent of the Senate. No vacancy in any office which is to be filled by the Governor with the advice and consent of the Senate or by the Senate and General Assembly in joint meeting may be filled by the Governor by a temporary or ad interim appointment at any time, except as may be provided by law.

11. The Senate shall either confirm or reject each nomination to office within a period of six weeks after the same has been submitted to it by the Governor unless within that period the nomination is withdrawn by the Governor or returned to the Governor by the Senate; and any nomination not rejected, withdrawn or returned within the period shall be deemed confirmed at the expiration of the period. The withdrawal or return of a nomination before its confirmation shall render it of no effect. No appointment or nomination shall be made by the Governor during the last week of his term.

12. Every bill which shall have passed both houses shall be presented to the Governor; if he approve he shall sign it, but if not he shall return it, with his objections, to the house in which it shall

have originated, who shall enter the objections at large on their journal and proceed to reconsider it; if, upon reconsideration on or after the third day following its return, three-fifths of all the members of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall be reconsidered and if approved of by three-fifths of all the members of that house, it shall become a law; and in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within ten days, Sundays excepted, after it shall have been presented to him, the same shall become a law on the tenth day if the house of origin is not in adjournment on said day. If, on said tenth day, the house of origin is in adjournment in the course of a regular or special session, the bill shall become a law on the day on which the house of origin convenes after the adjournment unless the Governor shall return the bill to that house on that day. If, on said tenth day, the Legislature is in adjournment *sine die,* the Governor shall within thirty-five days after such adjournment sign the bill or return it to the house of origin at a special session of the Legislature called by him, to meet within the thirty-five days, for reconsideration of bills; otherwise, the bill shall become a law on said thirty-fifth day. If the Governor shall return any bill to the house of origin less than three days prior to the adjournment *sine die* of any session, the bill shall become a law thirty-five days after said adjournment unless the Governor shall call a special session of the Legislature, to meet within said thirty-five days, for reconsideration of bills, and in such case such bill may be reconsidered.

13. If any bill presented to the Governor shall contain one or more items of appropriation of money, he may object to one or more of such items while approving of the other portions of the bill.

In such case he shall append to the bill, at the time of signing it, a statement of each item to which he objects, and each item so objected to shall not take effect. A copy of such statement shall be transmitted by him to the house in which the bill originated, and each item objected to shall be separately reconsidered. If, upon reconsideration on or after the third day following said transmittal, one or more of such items be approved by three-fifths of all the members of each house, the same shall become a part of the law, notwithstanding the objections of the Governor. All the provisions of the preceding paragraph in relation to bills not approved by the Governor shall apply to cases in which he shall withhold his approval from any item or items contained in a bill appropriating money.

14. The Governor may cause an investigation to be made of the conduct in office of any State officer except a member of the Legislature or an officer elected by the Senate and General Assembly in joint meeting or a judicial officer. After notice, service of charges and an opportunity to be heard at a public hearing, the Governor may remove any such officer whenever in his opinion the hearing discloses misfeasance or malfeasance in office. Upon application on behalf of the Governor or officer under investigation or subject to charges, a Justice of the Superior Court may issue subpœnas and, under penalty of contempt of the Superior Court, may compel the attendance of witnesses, the giving of testimony, and the production of books and papers, in the investigation or at the hearing.

Section II

1. There shall be a board of pardons in the executive branch of the government, which shall consist of the Governor, or person administering the government, and of four other members who shall be nominated and appointed by the Governor by and with the advice and consent of the Senate for terms of four years and until their successors

are qualified into office and who shall receive such annual salaries for their services as may be provided by law. At least one of said four members shall be an attorney-at-law of this State.

2. The board of pardons, by a majority of all its members of which majority the Governor, or person administering the government, shall be one, may grant pardons, after conviction, in all cases except impeachment. The board of pardons, by a majority of all its members, may remit fines and forfeitures and suspend the collection of the same, but in proceedings as to these matters the Governor, or person administering the government, need not participate.

3. The board of pardons shall have no power to grant paroles except as provided by law.

4. The Governor, or person administering the government, shall have the power to grant reprieves except in cases of impeachment.

Section III

1. There shall be Principal Departments in the State Government, not more than twenty in number, created by the Governor by executive order; and among and within them shall be allocated by the Governor by executive order all the executive and administrative offices, departments and instrumentalities of the State Government, in such manner as to group the same according to major purposes.

2. The Governor by executive order from time to time may reorganize, merge, consolidate and divide offices, departments, instrumentalities and the Principal Departments, and may allocate and reallocate them, in whole or in part, and the functions, powers and duties of any of them among and within such offices, departments and instrumentalities and the Principal Departments, all in such manner as to promote efficiency and economy in the operation of the State Government.

3. The Governor in any executive order made under the preceding paragraphs of this Section may make provision to effect the purposes of said order, including the transfer of personnel, property and appropriation balances, and the abolition and creation, within the limits of available appropriations, of executive and administrative offices, positions and employments; provided, that no person shall be deprived of any right or privilege which may be accorded him by civil service law.

4. Every such executive order shall be transmitted by the Governor to each house of the Legislature at a regular or special session and shall become effective six weeks after its transmittal unless within the six weeks both houses of the Legislature shall approve or disapprove the same by resolution. If so approved the order shall become effective upon approval; and if so disapproved it shall have no effect.

5. Such executive order shall remain unaltered and in full force except as may be provided by subsequent executive orders. The Legislature, however, may by law from time to time assign new functions, powers and duties to, and may increase or diminish the functions, powers and duties of, any office, department or instrumentality or Principal Department.

6. The Principal Departments shall be under the supervision and control of the Governor. The head of each Principal Department shall be a single executive unless otherwise provided by law; and all such single executives shall be nominated and appointed by the Governor with the advice and consent of the Senate and shall hold their offices until the next Governor shall be elected and qualified and until their successors shall be appointed and qualified, but they may be removed by the Governor as shall be provided by law.

7. Whenever a board, commission or other body shall be the head of a Principal Department, the members thereof shall be appointed by the Governor with the advice and consent of the Senate,

and if said board, commission or other body shall have power to appoint an administrator, director or other chief executive, such appointment shall be made with the approval of the Governor.

8. The Governor may from time to time appoint such State officers as he may select, to serve at his pleasure as the members of his Cabinet with whom he may consult relative to the affairs of the State.

9. No executive order under this section shall affect any officer elected by the Senate and General Assembly in joint meeting or his office or the functions, powers or duties thereof which may be provided by law.

ARTICLE V

JUDICIAL

SECTION I

1. The judicial power shall be vested in a Supreme Court and in a Superior Court and in inferior courts of original limited jurisdiction, which inferior courts may from time to time be established, altered and abolished by law. Such inferior courts may be integrated with the Superior Court in any manner and to any extent, not inconsistent with this Constitution, as may be provided by law.

2. In all matters in which there is any conflict or variance between equity and common law, equity shall prevail and, subject to rules of the Supreme Court, every controversy shall be fully determined by the court or justice hearing it.

3. The Supreme Court shall sit at the seat of the State Government and the Superior Court shall sit in each county except the appellate divisions thereof which shall sit at the seat of the State Government and at such other places as the Chief Justices of the Supreme Court may designate.

4. The Supreme Court and the appellate divisions of the Superior Court shall hold continuous yearly terms, and the sections of the Superior

Court shall hold such terms as may be fixed by rules of the Supreme Court.

SECTION II

1. The Supreme Court shall consist of seven justices, namely: one Chief Justice and six Associate Justices. Five members of the court shall constitute a quorum. The Chief Justice or, in his absence, the justice of the court presiding as provided by law shall designate a justice or justices of the Superior Court to serve temporarily when necessary to constitute a quorum.

2. The Supreme Court shall exercise appellate jurisdiction in the last resort in all cases designated in this Constitution. The court may, by certiorari allowed by the court or any justice thereof, review any indictment, before trial, according to law. The court shall also have jurisdiction of the admission to the practice of law and the discipline of persons admitted.

3. The Supreme Court shall make rules governing the administration of all of the courts in this State. It shall have power, also, to make rules as to pleading, practice and evidence, which may be applicable to all of the courts in this State, and which shall have the force of law unless changed or abrogated by law.

SECTION III

1. The Superior Court shall consist of such number of justices as may be authorized by law, but not less than twenty-seven, each of whom may exercise the original jurisdiction of the court subject to rules of the Supreme Court. There shall be at least one Resident Justice of the Superior Court for each county who shall be appointed from the residents of the county and who shall reside in, and shall annually be assigned by the Chief Justice to sit in the law section of the Superior Court in said county, but who shall be subject to assignment,

from time to time, to sit without the county, only, if and when his duties within the county shall not require his presence there.

2. The Superior Court shall have original general jurisdiction throughout the State in all cases.

3. The Superior Court shall be divided into

(1) a law section, to exercise civil and criminal jurisdiction at law; and matrimonial jurisdiction and jurisdiction in cases involving the allowance of alimony and maintenance and the custody of children, without jury trial; and

(2) an equity and probate section, to exercise all other jurisdiction of the court,

but either section shall exercise the jurisdiction of the other when the ends of justice so require. Each section of the Superior Court shall have such parts as may be provided by rules of the Supreme Court.

4. Any Justice of the Superior Court or an appellate division thereof may allow prerogative writs returnable in an appellate division which shall determine, in such manner as the rules of the Supreme Court may prescribe, and without a jury, questions of fact arising therein; or, when so prescribed by rules of the Supreme Court, the hearing may be in the first instance before a single justice, whose determination, both as to law and fact, shall be reviewable by an appellate division. On an application for any prerogative writ, the appellate division or the Justice of the Superior Court shall allow such writ as the case shall warrant.

SECTION IV

1. There shall be established in the Superior Court two or more appellate divisions as prescribed by rules of the Supreme Court. Each such appellate division shall consist of three Justices of the Superior Court who shall be assigned for that purpose by the Chief Justice of the Supreme Court and shall sit therein, solely, for three years. There

may be established in the Superior Court, by rules of the Supreme Court, temporary appellate divisions as need appears. Each appellate division shall hear appeals from sections of the Superior Court designated by the rules of the Supreme Court. Appeals from the inferior courts shall be heard by an appellate division or in one of the sections of the Superior Court, as may be provided by law.

2. An appeal to an appellate division may be taken from any final order, judgment or decree of the Superior Court as a matter of right and from any preliminary or interlocutory order of the Superior Court when so provided by law. Appeals in cases involving restraints or the appointment of receivers shall, in whatever court pending, be preferred as to argument and disposition.

3. Appeals to the Supreme Court from any court may be taken only:

(1) In capital cases and cases involving a question arising under the Constitution of the United States or of this State, which appeals shall be taken directly to the Supreme Court and shall be preferred as to argument and disposition;
(2) In the event of a dissent in an appellate division;
(3) On certification by an appellate division; or
(4) On certification by the Supreme Court to any court.

In all other cases judgments and orders of an appellate division shall be final.

4. The Supreme Court and the appellate divisions of the Superior Court, in addition to their other powers, may set aside judgments at law, wholly or in part, where the finding of fact is against the weight of evidence or the verdict excessive or inadequate, and may affirm, reverse or modify orders, judgments or decrees in all cases

and make final determination thereof, and exercise such original jurisdiction as may be incident to the final determination thereof, unless the ends of justice or the right of trial by jury shall require that a new trial or hearing be ordered.

SECTION V

1. The Governor shall nominate and appoint, by and with the advice and consent of the Senate, the Chief Justice and Associate Justices of the Supreme Court, the Justices of the Superior Court and the judges of every court of inferior jurisdiction, except that judges of inferior courts of civil and criminal jurisdiction may be elected in, or appointed by the governing body of, any county or municipality of the State when so provided by law.

2. The Chief Justice and each Associate Justice of the Supreme Court and each Justice of the Superior Court shall, prior to his appointment, have been an attorney-at-law of this State in good standing for at least ten years.

3. The Justices of the Supreme Court shall be appointed to hold office during good behavior without limited terms except as to age as provided in this Constitution. The Justices of the Superior Court shall hold office during good behavior for terms of seven years and if reappointed shall thereafter hold office during good behavior without limited terms except as to age as provided in this Constitution.

4. The Justices of the Supreme Court and the Justices of the Superior Court shall be liable to impeachment for misconduct in office during their continuance in office and for two years thereafter. The General Assembly shall have the sole power of impeaching a Justice of the Supreme Court or a Justice of the Superior Court by a vote of a majority of all the members. All such impeachments shall be tried by the Senate, and members, when sitting for that purpose, shall be on oath or affirmation "truly and impartially to try and determine

the charge in question according to evidence;" and no person shall be convicted without the concurrence of a majority of all the members of the Senate. Any Justice of the Supreme Court or any Justice of the Superior Court impeached shall be suspended from exercising his office until his acquittal. Judgment in case of impeachment shall not extend further than to removal from office, and to disqualification to hold and enjoy any public office of honor, profit or trust in this State; but the person convicted shall nevertheless be liable to indictment, trial and punishment according to law.

5. No Justice of the Supreme Court or of the Superior Court shall continue in office after he has attained the age of seventy years; but, subject to law, he may be assigned by the Chief Justice to temporary service in the Supreme Court or in the Superior Court, as need appears.

6. The Chief Justice and the Associate Justices of the Supreme Court and the Justices of the Superior Court shall, at stated intervals, receive for their services such salaries as may be provided by law which shall not be diminished during the term of their appointment. They shall hold no other office, or position, of profit under the government of this State or of the United States or of any instrumentality or political subdivision of either of them. Any justice or judge of any court in this State who shall become a candidate for an elective public office shall thereby forfeit his judicial office. The Justices of the Supreme Court and of the Superior Court shall not, while in office, engage in the practice of law or other gainful occupation.

7. A Justice of the Superior Court may exercise the powers of a judge of any court established by law in the county or counties to which he may be assigned and may hold any such court with like jurisdiction, powers and duties as a judge therein.

8. Judges of inferior courts may be removed from office without impeachment and in such manner as may be provided by law.

SECTION VI

1. The Chief Justice of the Supreme Court shall be the administrative head of all of the courts in this State, and shall supervise their work. He shall appoint an executive director of the courts to serve at his pleasure.

2. The executive director shall:

(1) Assist the Chief Justice in all matters related to the administration, finance and personnel of the courts;
(2) Publish a statistical record of the judicial services of all the courts, justices and judges in the State, and of the cost thereof, at such times as shall be required by law;
(3) Prescribe records, reports and audits for the inferior courts;
(4) Have such other duties as may be delegated by the Chief Justice.

3. The Supreme Court shall appoint a Court Reporter, a Clerk of the Supreme Court, and a State Clerk of the Superior Court, each of whom shall hold office at the pleasure of the Supreme Court. The appointment of the Clerk of the Supreme Court and of the State Clerk of the Superior Court shall be made with the approval of the Governor.

4. The State Clerk of the Superior Court shall act as clerk of the appellate divisions and he, the county clerks and surrogates shall be the clerks of the Superior Court and shall perform such duties as may be prescribed by rules of the Supreme Court subject to law.

5. Judgments may be docketed and notices of pendency of actions and other papers or documents may be filed or recorded in such offices, with such effect, and in such manner, as may be prescribed by law.

6. The Chief Justice, subject to the provisions of this Constitution, shall annually assign the Jus-

tices of the Superior Court to the counties and to the sections and the parts of the Superior Court, and may from time to time transfer Justices from one assignment to another, and make temporary assignments to the appellate divisions, as need appears.

7. Prior to each legislative session the Chief Justice shall file with the Governor and the Legislature a report of the work of the courts as provided by law.

ARTICLE VI

PUBLIC OFFICERS AND EMPLOYEES

SECTION I

1. Every appointive State officer shall, before entering upon the duties of his office, take and subscribe an oath or affirmation to support the Constitution of this State and of the United States and to perform the duties of his office faithfully, impartially and justly to the best of his ability.

2. In the civil service of the State and all of its civil divisions, all offices and positions shall be classified according to duties and responsibilities, salary ranges shall be established for the various classes, and all appointments and promotions shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; except that preference in the appointment of persons who have been or shall have been in active service in any branch of the military or naval forces of the United States in time of war may be created by law.

3. Any compensation for services or any fees received by any person by virtue of his appointive State office or position, in addition to the annual salary provided therefor, shall be forthwith paid by him into the State Treasury, unless the compensation or fees be allowed or appropriated to him by the Legislature.

4. Any person before entering upon the duties of, or while holding, any public office, position or employment in this State may be required to give bond, as may be provided by law.

5. The term of office of all officers elected or appointed pursuant to the provisions of this Constitution, except when herein otherwise directed, shall commence on the day of the date of their respective commissions; but no commission for any office shall bear date prior to the expiration of the term of the incumbent of said office.

SECTION II

1. The State Comptroller, the State Treasurer and the State Auditor shall be elected by the Senate and General Assembly in joint meeting for terms of four years and until their successors shall be qualified into office. The Governor may, whenever in his opinion it would be in the public interest, require from them written statements, under oath, of information on any matter relating to the conduct of their respective offices.

2. Prosecutors of the pleas shall be nominated by the Governor and appointed by him with the advice and consent of the Senate. They shall hold their offices for terms of five years.

3. County clerks, surrogates, sheriffs and coroners shall be elected by the people of their respective counties at general elections. County clerks and surrogates shall hold office for terms of five years. Sheriffs and coroners shall hold office for terms of three years. Whenever a vacancy occurs in the office of county clerk, surrogate, sheriff or coroner in any county, it shall be filled in such manner as may be provided by law.

SECTION III

1. The Legislature may by concurrent resolution and either house thereof may by resolution constitute and empower a committee thereof or any public officer or agency to investigate any and all

phases of State and local government, or any part thereof, the fidelity of any public officer or employee, or the performance of any public office, employment or trust. No person shall be privileged from testifying in relation to any such matters, and upon so testifying he shall be immune from criminal prosecution with respect to any matter to which such testimony may relate unless he has waived such immunity. Any person holding public office, position or employment who shall refuse or willfully fail to obey any subpœna lawfully issued by such investigating committee, officer or agency, or who shall refuse to testify or to answer any questions relating to any matter under investigation, or who shall refuse to waive immunity from prosecution with respect to any matter upon which he may testify, shall thereby become disqualified to continue in his office, position or employment, which shall forthwith be deemed vacant and he shall be ineligible to hold any public office, position or employment.

SECTION IV

1. The Governor and all other civil officers of the State Government, except judicial officers, shall be liable to impeachment for misdemeanor in office during their continuance in office and for two years thereafter.

2. The General Assembly shall have the sole power of impeaching in such cases by a vote of a majority of all the members. All such impeachments shall be tried by the Senate, and members, when sitting for that purpose, shall be on oath or affirmation "truly and impartially to try and determine the charge in question according to evidence;" and no person shall be convicted without the concurrence of two-thirds of all the members of the Senate.

3. Judgment in cases of impeachment shall not extend further than to removal from office, and to disqualification to hold and enjoy any public office

of honor, profit or trust in this State; but the person convicted shall nevertheless be liable to indictment, trial and punishment according to law.

ARTICLE VII

FINANCE

1. The credit of the State shall not be directly or indirectly loaned in any case.

2. All revenues of the State Government from whatever source derived, including revenues of all departments, agencies and offices, shall be paid into a single fund to be known as the General State Fund and shall be subject to appropriations for any public purpose; but this paragraph shall not apply to moneys which may be received or held in trust, or under grant or contract for restricted use, or which must be received or held in a particular manner in order to receive a grant, or which may be payable to any county, municipality, or school district, of the State. Nothing in this paragraph shall prevent or interfere with any payment of State revenues to, or any direct or indirect collection or retention of State revenues by, any county, municipality or school district which payment, collection, or retention may be provided by law. Nothing in this paragraph shall abridge the right of the State to enter into contracts.

3. No money shall be drawn from the State Treasury but for appropriations made by law. So far as known or can be reasonably foreseen, all needs for the support of the State Government and for all other State purposes shall be provided for in one general appropriation law covering one and the same fiscal year, except that, when change in fiscal year is made, necessary provision may be made to effect the transition. No general appropriation law or other law appropriating money for any State purpose shall be enacted if the appropriation contained therein together with all prior appropriations made for the same fiscal period shall exceed the total amount of revenue on hand

and anticipated which will be available to meet such appropriations during such fiscal period, as certified by the State Comptroller.

4. Property shall be assessed for taxes under general laws, and by uniform rules, according to standards of value as may be provided by law but not in excess of true value; but exemption from taxation may be granted by law to persons who have been, are, shall be or shall have been in active service in any branch of the military or naval forces of the United States in time of war.

5. The Legislature shall not, in any manner, create any debt or debts, liability or liabilities, of the State, which shall singly or in the aggregate with any previous debts or liabilities at any time exceed one hundred thousand dollars, except for purposes of war, or to repel invasion, or to suppress insurrection, or to meet an emergency caused by act of God or disaster, unless the same shall be authorized by a law for some single object or work to be distinctly specified therein; which law shall provide the ways and means, exclusive of loans, to pay the principal and interest of such debt or liability as it falls due. No such law shall take effect until it shall, at a general election, have been submitted to the people, and have received the sanction of a majority of all the votes cast for and against it at such election. Any such debt or liability thereby authorized shall be paid in annual installments, the first of which shall be payable not more than one year and the last of which shall be payable not more than thirty-five years, after such debt or liability shall have been contracted; but the privilege of paying all or any part thereof prior to maturity may be reserved to the State as may be provided in the law authorizing such debt or liability. All money to be raised by the authority of any such law shall be applied only to the specific object or work stated therein and to the payment of the debt or liability thereby created. No such law shall be repealable until such debt or liability, and the interest thereon, are fully paid and discharged.

ARTICLE VIII

ELECTIONS AND SUFFRAGE

1. General elections shall be held annually on the first Tuesday after the first Monday in November; but the time of holding such elections may be altered by law. The Governor and members of the Legislature shall be chosen at general elections.

2. All questions, which are to be submitted to a vote of the people of the entire State, shall be submitted at general elections.

3. Subject to the provisions of this Article, every citizen of the United States who shall have attained the age of twenty-one years, been a resident of this State one year and of the county in which the vote is claimed five months, next before an election, and who shall have been duly registered as a voter pursuant to law, shall be entitled to vote therein for all officers that are now or hereafter may be elective by the people, and upon all questions which may be submitted to a vote of the people.

4. No pauper, idiot, or insane person shall enjoy the right of an elector.

5. Persons may be deprived by law of the right of suffrage because of conviction of crime.

6. No person shall, for the purpose of suffrage, be deemed to have become a resident of, nor to have abandoned prior residence in, this State or any county thereof by reason of his presence therein or absence therefrom during active service in any branch of the military or naval forces of this State or the United States.

7. No elector in active service in any branch of the military or naval forces of this State or of the United States shall be deprived of his vote by reason of his absence from his election district.

8. The manner in which and the time and place at which ballots may be cast by electors absent during active service in any branch of the military or naval forces of this State or of the United States, and the manner of the return and canvass of such

absentee votes, shall, at all times, be provided by law.

ARTICLE IX

AMENDMENTS

1. Any specific amendment or amendments to the Constitution may be proposed in the Senate or General Assembly, and if the same shall be agreed to by three-fifths of all the members of each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and shall be published once in at least one newspaper of each county, if any be published therein, not more than four months, and not less than three months, prior to its submission to the people.

2. Such amendment or amendments shall be submitted to the people at the general election next succeeding the publication, in such manner as the Legislature shall prescribe.

3. If more than one amendment be submitted, they shall be submitted in such manner and form that the people may vote for or against each amendment separately and distinctly.

4. If at the election the people shall approve such amendment or amendments, or any of them, by a majority of the legally qualified voters of this State voting thereon, such amendment or amendments so approved shall become part of the Constitution.

5. If at the election the people shall not approve any such amendment, no specific amendment to effect the same or substantially the same change in the Constitution shall be submitted to them before the fifth general election thereafter.

ARTICLE X

GENERAL PROVISIONS

1. The provisions of this Constitution shall be self-executing, to the fullest extent that their respective natures permit. Legislation shall be enacted in furtherance of their purposes and to facilitate their operation.

2. The word "day" when used in this Constitution means a calendar day.

3. The seal of the State shall be kept by the Governor, or person administering the government, and used by him officially, and shall be called the great seal of the State of New Jersey.

4. All grants and commissions shall be in the name and by the authority of the State of New Jersey, sealed with the great seal, signed by the Governor, or person administering the government, and countersigned as may be provided by law, and shall run thus: "The State of New Jersey, to ....., Greeting." All writs shall be in the name of the State; and all indictments shall conclude in the following manner, viz.: "against the peace of this State, the government and dignity of the same."

5. This Constitution shall take effect on the second Tuesday in January, one thousand nine hundred and forty-five, except Article V which shall take effect on the first day of November, one thousand nine hundred and forty-five, all subject to the provisions of the schedule hereinafter set forth.

ARTICLE XI

SCHEDULE

SECTION I

1. This Constitution shall supersede the Constitution of 1844 as amended, and the Legislature shall enact all laws necessary to make this Constitution fully effective.

2. The adoption of this Constitution or the taking effect thereof or of any Articles thereof shall not of itself affect the tenure, term or compensation of any person holding any State civil office or State position or employment at the time when the same is adopted or takes effect, except as provided in this Constitution.

3. All militia officers in office when this Constitution takes effect shall continue to exercise their respective commissions and powers until otherwise provided by law.

4. All law, statutory and otherwise, all rules and regulations of administrative bodies and all rules of Courts in force and effect at the time this Constitution or any Articles thereof take effect shall remain in full force and effect until they expire or are superseded, altered or repealed. All writs, actions, causes of action, prosecutions, contracts, claims and rights of individuals and of bodies corporate, and of the State, and all charters and franchises shall continue unabated and unaffected notwithstanding the taking effect of any of the Articles of this Constitution, and all indictments which have been found, for any crime or offense committed, before the taking effect of this Constitution or any Article thereof may be proceeded upon notwithstanding the taking effect thereof. The Supreme Court shall make such general and special rules and orders as may be necessary for the transfer of all suits, proceedings and indictments to the appropriate Court and section thereof. Indictments may be found and proceeded upon, after the Judicial Article of this Constitution takes effect, for crimes or offenses committed before said Article shall take effect, in the Court succeeding to the jurisdiction of the Court in which they could have been found and proceeded upon if such Article had not taken effect.

SECTION II

1. The first session of the Legislature under this Constitution shall meet in regular session on the second Tuesday in January in the year one thousand nine hundred and forty-five.

2. Special sessions of the Legislature may be called by the Governor in the year one thousand nine hundred and forty-five for the enactment of laws necessary to make this Constitution fully effective, and such special sessions shall not be subject to the provisions of this Constitution limiting their duration or the subject matter which may be considered thereat.

3. Each member of the General Assembly, elected at the election in the year one thousand nine hundred and forty-four, shall hold office for a term beginning at noon on the second Tuesday in January in the year one thousand nine hundred and forty-five and ending at noon on the second Tuesday in January in the year one thousand nine hundred and forty-seven. Each member of the General Assembly elected thereafter shall hold office for the term provided by this Constitution.

4. Each member of the Senate elected in the years one thousand nine hundred and forty-two, one thousand nine hundred and forty-three, and one thousand nine hundred and forty-four, shall hold office for the term for which he was elected, except as follows:

The terms of the incumbents of those seats in the Senate that would become elective in the year one thousand nine hundred and forty-five, had this Constitution not been adopted, shall be extended for an additional year, and of such seats, two seats, as chosen by the Senate in the year one thousand nine hundred and forty-five, shall be filled by election in the year one thousand nine hundred and forty-six for a two-year term, and the balance of such seats shall be filled by election in the year one thousand nine hundred and forty-six for a four-

year term. Seats in the Senate that would be filled by election in the year one thousand nine hundred and forty-six, had this Constitution not been adopted, shall be filled by election in that year and every fourth year thereafter. The terms of the incumbents of those seats in the Senate that would become elective in the year one thousand nine hundred and forty-seven, had this Constitution not been adopted, shall be extended for an additional year, and such seats, together with the two seats filled for a two-year term by election in one thousand nine hundred and forty-six, shall be filled by election in the year one thousand nine hundred and forty-eight and every fourth year thereafter.

5. The compensation provided by this Constitution for members of the Legislature shall be paid from and after the effective date hereof.

SECTION III

1. The Governor in office at the time this Constitution takes effect shall hold his office until noon on the second Tuesday in January, one thousand nine hundred and forty-seven. A Governor shall be elected for a full term at the general election held in the year one thousand nine hundred and forty-six and each fourth year thereafter.

2. If, on the second Tuesday in January, one thousand nine hundred and forty-five, no Governor shall be in office, the powers, duties and emoluments of the office shall devolve upon the President of the Senate, and, in case of his death, resignation or removal, upon the Speaker of the General Assembly for the time being, until a Governor be elected as required in this Constitution for the unexpired term and qualified.

3. The first members appointed to the board of pardons established under this Constitution shall be appointed, one for a term of one year, one for a term of two years, one for a term of three years and one for a term of four years, and thereafter appointments shall be made for terms of four years.

4. On or before July first, one thousand nine hundred and forty-five, the Governor shall complete the first allocation of the executive and administrative offices, departments and instrumentalities of the State Government among and within the Principal Departments, required by Article IV, Section III, of this Constitution.

SECTION IV

1. On or before June first, one thousand nine hundred and forty-five, the Governor shall nominate and appoint, by and with the advice and consent of the Senate, a Chief Justice and six Associate Justices of the new Supreme Court from among the persons then being the Chancellor, the Chief Justice, the Justices of the Supreme Court, such Judges of the Court of Errors and Appeals as are attorneys-at-law of this State of ten years' standing, the Vice-Chancellors, and the Circuit Court Judges. The remaining judicial officers above enumerated and the Judges of the Courts of Common Pleas in office when the Judicial Article of this Constitution takes effect shall constitute the Justices of the new Superior Court. The Chief Justice and each Associate Justice of the new Supreme Court so appointed and each Justice of the new Superior Court so constituted shall serve during good behavior for the period of his term as Chancellor, Chief Justice, Justice of the Supreme Court, Judge of the Court of Errors and Appeals, Vice-Chancellor, Circuit Court Judge, or Judge of the Court of Common Pleas, as the case may be, which remains unexpired at the time the Judicial Article of this Constitution takes effect notwithstanding that he may then have attained or may attain the age of seventy-five years within said period. The Chief Justice and each Associate Justice of the new Supreme Court, if he has not attained the age of seventy-five years at the time of the expiration of his said term, shall continue to serve during good behavior after the expiration of

his said term without limited term, except that his term as Chief Justice or Associate Justice of the new Supreme Court shall terminate when he attains the age of seventy-five years. Any Justice of the Superior Court so constituted may be reappointed at the expiration of his said term if, then, he shall have been an attorney-at-law of this State in good standing for at least ten years and shall not have attained the age of seventy-five years, and, if reappointed, such Justice shall hold office during good behavior for a term of seven years, except as hereinafter provided. At the expiration of said term of seven years any such Justice of the Superior Court may again be reappointed if, then, he shall not have attained the age of seventy-five years, and, if so reappointed, such Justice shall hold office during good behavior without limited term except as to age as hereinafter provided. No such Justice of the Superior Court who has been reappointed shall continue in office after he has attained the age of seventy-five years.

2. The compensation of any of the judicial officers named in the preceding paragraph, who is transferred to the new Superior Court pursuant to this Article, as fixed by law immediately prior to his said transfer, shall not be increased or diminished while he is serving out the term for which he was appointed as such judicial officer, except that the compensation of any Judge of the Court of Errors and Appeals or of any Common Pleas Judge, who was not required by law to devote his entire time to his judicial duties, who is transferred to the Superior Court, may be increased, as may be provided by law.

3. The Chief Justice shall annually assign a Common Pleas Judge, who is transferred to the Superior Court in accordance with this Article, to act as Resident Justice of the Superior Court, in the manner required by this Constitution, for the county of which he was Common Pleas Judge, so long as there shall be a Justice of the Superior Court in office who, prior to the taking effect of the

Judicial Article of this Constitution, was a Common Pleas Judge of said county or until another Justice of the Superior Court is designated as Resident Justice of the Superior Court for said county.

4. When the Judicial Article of this Constitution takes effect:

(a) All causes pending in the Court of Errors and Appeals shall be transferred to the new Supreme Court for determination;

(b) All causes pending on appeal in the present Supreme Court and in the Prerogative Court and all causes involving the Prerogative Writs shall be transferred to an appellate division of the Superior Court, to be designated by the Chief Justice;

(c) All causes pending in the present Supreme Court sitting at circuit shall be transferred to the law section of the Superior Court of the appropriate county; and all causes pending in the Court of Chancery and all other causes pending in the Prerogative Court shall be transferred to the equity and probate section of the Superior Court of the appropriate county; but all pleadings, papers and documents filed and to be filed and all orders, judgments and decrees made and entered and to be made and entered in any such cause shall be filed, and entered in, the office of the State Clerk of the Superior Court and shall have the same effect as though filed and entered in the office of the Clerk of the Court in which such cause was instituted; and

(d) All causes pending in any other county or State Courts, which are superseded by the taking effect of the Judicial Article of this Constitution, shall be transferred to the Superior Court.

(e) Causes shall be deemed to be pending for the purposes of this paragraph notwithstanding that a judgment or decree has been entered therein until the time limited for review has expired.

5. The files of all causes pending in the Court of Errors and Appeals shall be delivered by the Secretary of State to the Clerk of the new Supreme Court and the files of all causes pending in the present Supreme Court, in the Court of Chancery and the Prerogative Court shall be delivered by the Clerk of the Supreme Court, the Clerk in Chancery and the Register of the Prerogative Court, respectively, to the State Clerk of the Superior Court, and all other files, books, papers, records and documents and all property of the Court of Errors and Appeals, of the present Supreme Court, of the Prerogative Court and of the Court of Chancery or in the custody of said Courts shall be disposed of as shall be provided by law.

6. The Court of Errors and Appeals, the present Supreme Court, the Court of Chancery and the Prerogative Court shall be abolished when the Judicial Article of this Constitution takes effect and all their jurisdiction, functions, powers and duties shall be transferred to and divided between the new Supreme Court and the Superior Court according as jurisdiction is vested in each of them under this Constitution.

7. The Circuit Courts, Courts of Common Pleas, Courts of Oyer and Terminer, Courts of Quarter Sessions, Courts of Special Sessions and the Orphans' Court shall be abolished when the Judicial Article of this Constitution takes effect, and all their jurisdiction, functions, powers and duties shall be transferred to the Superior Court. Causes pending in such superseded Courts shall be heard in the Superior Court sitting in the same county.

8. From and after the taking effect of the Judicial Article of this Constitution, all the functions, powers and duties conferred by statute or rule

upon the Chancellor, the Ordinary and the Justices and Judges of Courts abolished by this Constitution, to the extent that such functions, powers and duties are not inconsistent with this Constitution, shall be transferred to and may be exercised by Justices of the Superior Court until otherwise provided by law or rule of the Supreme Court; excepting that such statutory powers not related to the administration of justice as are then vested in any such judicial officers shall, after the Judicial Article of this Constitution takes effect and until otherwise provided by law, be transferred to and shall be exercised by the Chief Justice of the Supreme Court.

9. Upon the taking effect of the Judicial Article of this Constitution, the Clerk of the Supreme Court shall become the Clerk of the new Supreme Court and shall serve as such Clerk until the expiration of the term for which he was appointed as Clerk of the Supreme Court, and all employees of the Supreme Court as previously constituted, of the Clerk thereof and of the Chief Justice and the Justices thereof and of the Court of Errors and Appeals shall be transferred to appropriate similar positions with similar compensation and civil service status under the Clerk of the Supreme Court or the Supreme Court which shall be provided by law.

10. Upon the taking effect of the Judicial Article of this Constitution, the Clerk in Chancery shall become the State Clerk of the Superior Court and shall serve as such Clerk until the expiration of the term for which he was appointed as Clerk in Chancery, and all employees of the Clerk in Chancery, the Court of Chancery, the Chancellor and the several Vice-Chancellors shall be transferred to appropriate similar positions with similar compensation and civil service status under the State Clerk of the Superior Court or the Superior Court which shall be provided by law.

11. Appropriations made by law for judicial expenditures during the fiscal year 1945-1946 may be

transferred to similar objects and purposes required by the Judicial Article. Restrictions upon supplemental appropriations contained in this Constitution shall not apply to any appropriations which may be required to finance the new judicial system prior to the fiscal year 1946-1947.

12. The Judicial Article of this Constitution shall take effect on the first day of November, one thousand nine hundred and forty-five, except that any provision of this Constitution which may require any act to be done prior thereto or in preparation therefor shall take effect immediately upon its adoption.

Filed in office of Secretary of State.

Which Revised Constitution for the State is set forth and contained in Senate Concurrent Resolution No. 9, adopted March third, one thousand nine hundred and forty-four, and properly certified and filed in the office of the Secretary of State at Trenton, and in further pursuance of said authority, the

Submitted as a whole.

One Hundred Sixty-eighth Legislature does, by this act, prescribe the manner in which said Revised Constitution for the State agreed upon by it shall be submitted, as a whole, to the people for their approval and ratification or rejection, as a whole, at the general election to be held on the seventh day of November, one thousand nine hundred and forty-four.

Secretary of State shall arrange for submission.

2. The Secretary of State shall arrange for the submission of the public question set forth in this act, in accordance with the provisions of this act and with the provisions of Title 19 of the Revised Statutes for the submission to the people of public questions to be voted upon by the voters of the entire State. The people of the State may at the general election in the year one thousand nine hundred and forty-four decide upon the approval and ratification or rejection, as a whole, of said Revised Constitution for the State in the following manner:

There shall be printed at the top of each official ballot the following: Printed at top of official ballot.

If you are in favor of the approval and ratification, as a whole, of the Revised Constitution for the State agreed upon by the One Hundred Sixty-eighth Legislature, mark a cross (×) or a plus (+) in the square at the left of the word "Yes," and if you are in favor of its rejection, as a whole, mark a cross (×) or a plus (+) in the square at the left of the word "No."

Proposition.

	Yes.	Shall the Revised Constitution for the State agreed upon by the One Hundred Sixty-eighth Legislature, pursuant to the authority given by the people at the general election held in the year one thousand nine hundred and forty-three, be approved and ratified, as a whole?
	No.	

The ballots so cast, in favor of the approval and ratification and in favor of the rejection of said Revised Constitution for the State, shall be counted and the result thereof returned by the election officers and canvass of such election had as is provided by Title 19 of the Revised Statutes in the case of public questions voted upon by the voters of the entire State, and if a majority of all votes so cast, in favor of the approval and ratification and in favor of the rejection of said Revised Constitution for the State at such election, be in favor of the approval and ratification of said Revised Constitution for the State, then said Revised Constitution for the State shall be approved and ratified; but if a majority of all votes so cast, in favor of the approval and ratification and in favor of the rejection of said Revised Constitution for the State at such election be in favor of the rejec- Ballots counted.

tion of said Revised Constitution for the State, then said Revised Constitution for the State shall be rejected.

Result of vote.

The result of the vote cast in favor of the approval and ratification or the rejection of said Revised Constitution for the State, as a whole, shall be determined and certified as is provided by Title 19 of the Revised Statutes in the case of public questions voted upon by the voters of the entire State, and if said Revised Constitution for the State shall be approved and ratified at such election, the said Revised Constitution for the State shall take effect according to its terms and the Secretary of State shall so certify to the Governor and the Governor shall thereupon issue his proclamation declaring that said Revised Constitution for the State has been approved and ratified by the people and shall take effect according to its terms.

Revised Constitution to be published.

3. In order to inform the people of the contents of the Revised Constitution for the State, agreed upon by the One Hundred Sixty-eighth Legislature, the Secretary of State shall cause said Revised Constitution for the State to be published at such times, in such manner, under such arrangements, and in such legal newspapers for the publication of official advertisements which charge a regular subscription rate, as shall be determined by the President of the Senate, the Speaker of the General Assembly and the Secretary of State. The Secretary of State shall also cause to be delivered to each municipal clerk a number of printed copies of said Revised Constitution, equal to at least one-tenth of the total number of votes cast for Governor in such municipality at the general election in the year one thousand nine hundred and forty-three, and from time to time thereafter shall cause to be delivered to each municipal clerk additional copies thereof as in the judgment of the President of the Senate, the Speaker of the General Assembly and the Secretary of State need appears. In order to provide that every resident of this State

Copies to municipal clerk.

who desires a copy of said Revised Constitution may obtain one within his own municipality, each municipal clerk shall deliver one printed copy of such Revised Constitution to each resident of such municipality who makes request therefor.

Secretary of State cause copies to be delivered.

The Secretary of State shall also cause printed copies of said Revised Constitution to be delivered to such persons, places, and institutions, at such times, and in such manner as shall be determined by the President of the Senate, the Speaker of the General Assembly and the Secretary of State.

Provisions and requirements directory.

4. All provisions and requirements of the preceding section of this act, and all provisions and requirements of Title 19 of the Revised Statutes concerning notice of the public question or of the submission of the public question provided for in this act, shall be directory only, and failure to comply or faulty compliance therewith shall not in any manner prevent or invalidate the submission of such public question or invalidate the result of submission of such public question.

Appropriation.

5. There is appropriated to the Secretary of State the sum of two hundred thousand dollars ($200,000.00) for the purpose of complying with the provisions of this act.

6. This act shall take effect immediately.

Approved April 11, 1944.

CHAPTER 93

AN ACT for the protection of New Jersey beaches against erosion; declaring an emergency to exist with respect to the problem of erosion; providing for the administration and enforcement of this act by the Governor and the Department of Commerce and Navigation, and supplementing Title 12 of the Revised Statutes.

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

Emergency legislation.

1. In furtherance of the public policy of the State and to meet the pressing problem of beach erosion this statute is deemed and declared to be emergency legislation.

Appropriation.

2. There is hereby appropriated to the Department of Commerce and Navigation the sum of one million two hundred and fifty thousand dollars ($1,250,000.00) to be expended by said department, upon projects to be approved by the Governor, designed to prevent and control erosion on New Jersey beach fronts.

May participate in benefits.

3. Subject to the conditions in this act contained any county or local municipal government, whose beach fronts are threatened by erosion may participate in the benefits of this act.

Prepare comprehensive plan.

4. The Board of Commerce and Navigation shall prepare a general and comprehensive plan, to be approved by the Governor, designed to prevent and control beach erosion and receive applications for benefits hereunder from any such county or local municipal government desiring to participate herein. Such applications shall be on forms approved by the department and shall detail the project or projects to be undertaken and completed as contemplated by this act. The department upon determining that such project or projects conform to

Applications for benefits.

the general and comprehensive plan shall, on approval thereof by the department and the Governor, make an allotment or allotments not in excess of fifty per centum (50%) of the cost thereof to the proper governing body.

Cost of project.

5. The applicant shall bear the remaining fifty per centum (50%) or such excess thereof of the cost of such project or projects and shall detail the proper county or municipal appropriation from which its share of the cost of the project shall be paid.

Contracts by department.

6. Upon approval of the project as aforesaid and the entering into of a contract or contracts for the project, which contract or contracts shall likewise be approved by the department, there shall be made available the State's share of the cost thereof.

Emergency appropriations.

7. Appropriations made by any county or local municipal government, in meeting its share of the cost of any project or projects so undertaken, shall be deemed emergency appropriations.

8. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 94

AN ACT to amend "An act creating a commission to study and to draft and submit for the consideration of the Legislature measures which may be taken by the State of New Jersey to guard against and forestall the effects of a possible depression following the termination of the present war emergency," filed April thirteenth, one thousand nine hundred and forty-three (P. L. 1943, c. 192).

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

Section amended.

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

C. 52:9G-1. State Commission on Post-War Economic Welfare created.

1. A commission is hereby created to be known as the State Commission on Post-War Economic Welfare, hereinafter referred to as "the commission," to consist of twelve members namely, two members of the Assembly and three citizens to be appointed by the Speaker of the Assembly; and two members of the Senate and three citizens to be appointed by the President of the Senate; and two persons, who may or may not be members of the Legislature, to be appointed by the Governor.

Section amended.

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

C. 52:9G-2. Legislative members.

2. Legislative members of the commission appointed by the President of the Senate and the Speaker of the General Assembly shall serve until the second Tuesday in January next following their appointment and until their successors have been appointed and qualified.

Other members.

Other members of the commission shall serve for a term of three years from the date of their appointment and until their successors have been appointed and qualified. Vacancies occurring in the commission from any

cause shall be filled forthwith by the President of the Senate if the vacancy occur in the office of a member of the commission appointed by the President of the Senate or by the Speaker of the General Assembly if the vacancy occur in the office of a member appointed by the Speaker of the General Assembly or by the Governor if the vacancy occur in the office of a member appointed by the Governor.

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

Section amended.

C. 52:9G-3. Members serve without compensation.

3. The members of the commission shall serve without compensation. Within twenty days after the effective date of this act, the commission shall hold its first meeting at the call of the President of the Senate at such time and place as he shall designate. The commission shall organize in such manner, and adopt such rules for the transaction of its business, as it may deem necessary; and, by a majority vote, shall elect from its membership a chairman, who shall be its presiding officer. The commission shall from time to time hold either public or private sessions and hearings as it may deem desirable. Six members of the commission shall constitute a quorum.

Chairman.

4. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 95

AN ACT to amend and supplement "An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, in time of war, an opportunity to vote in the general election to be held in this State in the year one thousand nine hundred and forty-four notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes," approved February twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 9).

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

Section amended.

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

C. 19:55-1.

1. Whenever used in this act, the following terms shall, unless the context indicates otherwise, be construed to have the following meaning:

Military service.

"Military service" means active service by any person, as a member of the National Guard, State Guard or of any branch or department of the United States Army, Navy or Marine Corps or Merchant Marine or of any auxiliaries thereof, or as a Reservist absent from his place of residence and undergoing training under Army or Navy direction, or in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots or the United Service Organizations, when attached to, and serving with, the armed forces, of the United States or of this State, at a place other than that of such person's residence;

"Military service voter" means any person in the military service who, prior to entering the military service, was a resident of this State and who, at the time of the general election held in this State in the year one thousand nine hundred and forty-four, is a citizen of the United States, is of the age of twenty-one years or more, is not disqualified by reason of conviction of crime from voting in this State, and has resided in the State at least one year and in the county, in which he claims the right to vote, at least five months, counting the time he has been in the military service in said periods of residence; Military service voter.

"Military service ballot" means a ballot for use by a military service voter as prescribed by this act. Military service ballot.

2. On the outside of each envelope in which a "military service ballot" is sent to a military service voter, and of each outer envelope for the return of such a ballot, there shall be printed or stamped the words "Official Election War Ballot," and the several county clerks shall take advantage of any provision for transmission, free of postage, of ballots and the envelopes containing the same provided by the Acts of the Congress of the United States. C. 19:55-10.1. Envelope.

3. The Secretary of State, upon receiving any "Official Federal War Ballot" provided for by the Acts of the Congress of the United States, shall transmit the same, without opening the outer envelope containing it, to the county board of elections of the county in which the voter's residence or home address, designated on the said outer envelope, is located. C. 19:55-21. Secretary of State to transmit ballot.

4. Any military service voter who does not vote by a "military service ballot" at the general election held in the year one thousand nine hundred and forty-four, in the election district in which he claims his residence or home address, pursuant to the provisions of the act of which this act is a supplement, may vote in such election by an "Official Federal War Ballot," notwithstanding that he is C. 19:55-22. May vote "Official Federal War Ballot."

Counted by proper county board of elections.

not registered to vote therein or in any other election district, and the same shall be cast and counted by the proper county board of elections in determining the result of said election in said election district if, under the provisions of the Acts of the Congress of the United States, such person is eligible to vote by such a ballot and if his "Official Federal War Ballot" is valid under, and the method of transmitting the same complies with, the provisions of said Acts of the Congress and if such ballot has been so marked as to comply with the requirements of said Acts of the Congress and is received by the proper county board of elections at any time before the closing of the polls on the day of such election.

C. 19:55-23. County board to open envelope.

5. No person other than the members of the proper county board of elections shall open any official outer or inner envelope purporting to contain an "Official Federal War Ballot," and the members of the county boards of elections, before opening any envelope containing an "Official Federal War Ballot," shall take oath that they will not disclose to anyone (unless required by law) how any absentee shall have voted, and shall determine that the oath or any other means of authentication required by the Acts of the Congress of the United States has been executed and that it is in order, pursuant to such Acts of the Congress, to open the official inner envelope containing the same, and such county board shall compile a voting list of names appearing on all such inner envelopes received from the Secretary of State.

Compile voting list.

C. 19:55-24. To comply with provisions of act.

6. The Secretary of State and all other appropriate State officials shall comply so far as practicable with all of the provisions of this act and of the Acts of the Congress of the United States relating to the receipt, transmission, casting and counting of "Official Federal War Ballots" and the disposition of such ballots received but which cannot be cast or counted for any reason, and shall take all necessary steps to prevent fraud, to protect

voters against coercion of any sort and to safeguard the integrity and secrecy of such ballots cast.

C. 19:55-25. Secretary to prepare report.

7. The Secretary of State shall prepare a report of all "Official Federal War Ballots" received by him and transmitted to the various county boards of elections, and within thirty days after the day of said election shall transmit such report to the United States War Ballot Commission at Washington, and each county board of elections.

Transmit such report.

C. 19:55-26. Secretary of State to compile list of candidates.

8. The Secretary of State shall furnish to the United States War Ballot Commission such information as the commission shall request for compiling a list of candidates and their parties in the general election for President and Vice-President, and for Senators and Representatives in the Congress, to be held in the year one thousand nine hundred and forty-four.

9. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 96

AN ACT concerning commissioners of juries, and amending sections 2:87–1, 2:87–4, 2:87–6, 2:87–7, 2:87–8, 2:87–11, 2:87–12 and 2:87–13, and supplementing chapter enghty-seven of the Revised Statutes.

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

Section amended.

1. Section 2:87–1 of the Revised Statutes is amended to read as follows:

Commissioners of juries.

2:87–1. In each county of the State there shall be appointed by the Governor, by and with the advice and consent of the Senate, two citizens, resident therein who shall not be members of the same political party, who shall constitute and be designated as "commissioners of juries," hereinafter

designated jury commissioners, of the county. No person holding any other public office other than that of sheriff and no person licensed to practice law in this State shall be appointed as a commissioner of juries. The certificate of appointment of each person appointed as a jury commissioner, together with the oath which he is required to take and subscribe by section 2:87–3 of this Title, shall be filed in the office of the clerk of the county in and for which he is appointed.

Section amended.

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

Governor may remove.

2:87–4. The Governor may, at any time, remove a jury commissioner appointed pursuant to section 2:87–1 of this Title. A certificate of removal shall be filed in the office of the clerk of the county in and for which the removed commissioner was appointed.

Section amended.

3. Section 2:87–6 of the Revised Statutes is amended to read as follows:

Office becomes vacant.

2:87–6. If the office of a jury commissioner appointed pursuant to section 2:87–1 of this Title becomes vacant by reason of his removal pursuant to section 2:87–4 of this Title, or his death, resignation or removal from the county, or his disqualification by assuming the duties of another public office, or for any other reason, the Governor shall appoint his successor for the balance of the term. A certificate of the appointment to fill a vacancy shall be filed in the office of the clerk of the county in which the vacancy existed.

Governor shall appoint.

Section amended.

4. Section 2:87–7 of the Revised Statutes is amended to read as follows:

Compensation.

2:87–7. Each jury commissioner, except a jury commissioner who holds the office of sheriff, appointed pursuant to section 2:87–1 of this Title shall receive compensation, payable semimonthly by the board of chosen freeholders of such county as follows: nine hundred dollars ($900.00) per annum in counties of the first class, seven hundred fifty dollars ($750.00) per annum in counties of the

second class and five hundred dollars ($500.00) per annum in all other counties.

Section amended.

5. Section 2:87–8 of the Revised Statutes is amended to read as follows:

Jury commissioner absent.

2:87–8. If, on the day fixed by the Chief Justice or justice of the Supreme Court, a judge holding the circuit or a judge presiding in or holding the court of common pleas for the drawing of a grand jury, petit jury or struck jurors, any jury commissioner appointed pursuant to section 2:87–1 of this Title is absent or sick, the justice or judge before whom any such jury is to be drawn shall make and sign an order appointing a temporary commissioner of juries, who shall have the same qualifications as the commissioner for whom he is to act and who shall attend such drawing in the place of the regularly appointed commissioner during his absence, and who, while so in attendance, shall have and exercise the same powers and perform the same duties as are conferred upon and required of the regularly appointed jury commissioner.

Section amended.

6. Section 2:87–11 of the Revised Statutes is amended to read as follows:

Clerk to jury commissioners.

2:87–11. The board of chosen freeholders of each county may select a clerk to the jury commissioners appointed therefor, and fix his compensation, which shall be paid semiannually by the board. A clerk appointed hereunder shall hold office for three years from the time of his selection.

Section amended.

7. Section 2:87–12 of the Revised Statutes is amended to read as follows:

May appoint clerks.

2:87–12. The board of chosen freeholders of each county may appoint all necessary clerks and stenographers in the office of the commissioners of juries, subject to the provisions of Title 11, Civil Service.

Section amended.

8. Section 2:87–13 of the Revised Statutes is amended to read as follows:

Provide necessary equipment.

2:87–13. The board of chosen freeholders of each county shall provide the jury commissioners appointed for its county pursuant to section 2:87–1

of this Title with such stationery and other equipment as they may require.

Papers transferred.

9. All persons employed by, and all files, books, papers, records, equipment and other property of, the jury commissioners in office when this act takes effect shall be transferred to the jury commissioners appointed under this act.

Terms of office.

10. The designations and terms of office of all commissioners of juries now holding office shall terminate on July first, one thousand nine hundred and forty-four.

Acts repealed.

11. All acts and parts of acts inconsistent herewith are repealed.

Effective.

12. This act shall take effect July first, one thousand nine hundred and forty-four, but any appointment and any confirmation of any appointment permitted by this act may be made after the enactment hereof.

Approved April 13, 1944.

CHAPTER 97

AN ACT concerning official certificates of searches for municipal liens, and amending section 54:5–13 of the Revised Statutes.

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

Section amended.

1. Section 54:5–13 of the Revised Statutes is amended to read as follows:

Certificate to contain.

54:5–13. The certificate provided for in section 54:5–12 of this Title shall include a statement of all tax sales and all outstanding certificates of tax sale, whether held by the municipality or not, made at any time prior to the date of its certification and not redeemed at such date as shown on the records of the municipality, and in the case of a continuation search shall indicate whether the liens, if any,

shown in the original certificate shall have been paid and satisfied or remain in force.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 98

AN ACT concerning maximum age limits for examination or test for, or appointment or election to any office, position or employment under the government of this State or of any county, municipality, school district or other political subdivision of this State, or under any board, body, agency or commission of this State or of any county, municipality or school district.

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

C. 38:23A-2. Maximum age limit.

1. When the qualifications for any examination or test for, or appointment or election to any office, position or employment under the government of this State or of any county, municipality, school district or other political subdivision of this State, or under any board, body, agency or commission of this State, or of any county, municipality or school district, includes a maximum age limit, any person who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be deemed to meet such maximum age requirement if his actual age, less the period of such service, would meet such maximum age requirement.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 99

AN ACT concerning the salaries to be paid to the mayor and councilmen in boroughs in counties of the fourth class, and amending sections 40:46–26 and 40:87–60 of the Revised Statutes.

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

Section amended.

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

Voters by vote may fix salary.

40:46–26. The legal voters of any municipality may, by vote at a general election held in such municipality, fix and determine the salary or other compensation to be paid the members of the governing body. They may in the same manner fix the salary or other compensation to be paid the mayor, except in municipalities having a population of more than twenty thousand, in which municipalities the governing body shall fix the salary of the mayor by ordinance. In case the mayor of any municipality is re-elected to succeed himself after having served one full term in such office his salary may be increased not more than once during such term for which he is so re-elected.

Section shall not apply.

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

Section amended.

2. Section 40:87–60 of the Revised Statutes is amended to read as follows:

Salaries of mayor.

40:87–60. The salaries of the mayor and councilmen shall be governed by article six of chapter forty-six of this Title (§40:46–23 et seq.), except in boroughs in counties of the fourth class and boroughs in counties of the sixth class, in which boroughs they shall be fixed by ordinance as in the case of other salaries. All other officers shall be

paid such salary or compensation as the council may by ordinance fix.

3. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 100

AN ACT concerning accident and health insurance, and amending section 17:38–1 of the Revised Statutes.

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

1. Section 17:38–1 of the Revised Statutes is amended to read as follows: Section amended.

17:38–1. No policy of insurance or endorsement thereto against loss or damage from the sickness or the bodily injury or death of the insured by accident shall be issued or delivered in this State by any insurance company to any resident thereof until a copy of the form thereof, classification of risks and premium rates pertaining thereto and form of application therefor have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company of his disapproval of any such policy form, application or endorsement as containing provisions which are unjust, unfair, inequitable, contrary to law or to the public policy of this State or calculated to mislead the insured or encourage misrepresentation of the contract of insurance, specifying particulars, it shall be unlawful for such company thereafter to issue any policy or endorsement or use any application in the form so disapproved. Such disapproval of the commissioner may be reviewed by a writ of certiorari. Copy of policy filed.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 101

AN ACT to amend "An act concerning life, accident and health insurance policies and certificates issued by assessment life, health and accident insurance companies and associations; providing for the maintenance of reserves by such companies and associations, for the certification of such reserves, for penalties for violations, and supplementing chapter thirty-five of Title 17 of the Revised Statutes," approved May twenty-fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 232).

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

Section amended.

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

C. 17:35-26. Copy of policy filed.

1. No policy or certificate or endorsement thereto granting benefits in the event of death, sickness or bodily injury or death of the insured by accident shall be issued or delivered in this State by any assessment insurance company or assessment insurance association until a copy of the form thereof, the classification of risks and the premiums or rates of contribution thereon and the form of application therefor have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company or association of his disapproval of any such policy or certificate form, application or endorsement as unfair, inequitable, contrary to law or to the public policy of this State or calculated to mislead the insured or encourage misrepresentation of the contract of insurance, specifying particulars, it shall be unlawful for such company or association thereafter to issue any policy or certificate or

endorsement thereto or use any application in the form so disapproved. Such disapproval of the commissioner may be reviewed by a writ of certiorari.

2. This act shall take effect immediately.

Approved April 13, 1944,

CHAPTER 102

AN ACT to amend "An act concerning medical service corporations and regulating the establishment, maintenance and operation of medical service corporations and medical service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Medical Service Corporations,'" approved May twenty-ninth, one thousand nine hundred and forty (P. L. 1940, c. 74).

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

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

1. As used in this act the following words and phrases shall have the following meanings: Words and phrases.

A medical service corporation is any corporation organized, without capital stock, and not for profit, for the purpose of establishing, maintaining and operating nonprofit medical service plans, or to provide or pay for medical services on the basis of premiums or other valuable considerations. A nonprofit medical service plan is any plan or arrangement operated by a medical service corporation, under the provisions of this act, and whereby the expense of medical services to subscribers and other covered dependents is paid in whole or in Nonprofit medical service.

part by the corporation to participating physicians of such plans or arrangements and to others as provided herein. A subscriber is a person to whom a subscription certificate is issued by the corporation and which sets forth the kinds and extent of the medical services for which the corporation is liable to make payment and which constitutes the contract between the subscriber and the corporation. A covered dependent is the spouse, an adult dependent or a child of the subscriber who is named in the subscription certificate issued to the subscriber and with respect to whom appropriate premium is specified in the certificate. A participating physician is any physician licensed to practice medicine and surgery in the State of New Jersey pursuant to chapter nine, Title 45, of the Revised Statutes, who agrees in writing with the corporation to perform the medical services specified in the subscription certificates issued by the corporation and at such rates of compensation as shall be determined by its board of trustees and who agrees to abide by the by-laws, rules and regulations of the corporation applicable to participating physicians. Medical service includes all general and special medical and surgical services ordinarily provided by such licensed physicians in accordance with accepted practices in the community at the time the service is rendered. No subscriber or his covered dependents shall be liable for any payment to any participating physician for medical services specified in the subscriber's certificate to be paid to the participating physician by the corporation.

Subscriber.

Covered dependent.

Participating physician.

Medical service.

Section amended.

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

Corporation operated for benefit of subscribers.

Trustees.

2. No medical service corporation shall be converted into a corporation organized for pecuniary profit. Every such corporation shall be operated for the benefit of the subscribers. No person shall be elected a trustee of any medical service corporation unless his nomination has been approved by a recognized medical society or professional medi-

cal organization having not less than two thousand members holding licenses to practice medicine and surgery pursuant to chapter nine, Title 45, of the Revised Statutes, and which has been incorporated for a period of not less than ten years. No medical service corporation shall impose any restrictions on physicians who administer to its subscribers as to methods of diagnosis or treatment. No person, firm, association or corporation other than a medical service corporation shall establish, maintain or operate a medical service plan or any other means, agency or device for contracting with persons to pay for or to provide for medical services on the basis of premiums or other valuable considerations to be collected by such person, firm, association or corporation from such persons for the issue of such contracts; *provided,* that this section shall not be construed as preventing the exercise of any authority or privilege granted to any corporation by any certificate of authority issued by the Commissioner of Banking and Insurance pursuant to any law of this State; *and provided further,* that this section shall not be construed as preventing any person, firm, association or corporation from furnishing medical services required under any workmen's compensation law. No medical service corporation shall solicit subscribers or enter into any contract with any subscriber until it has received from the Commissioner of Banking and Insurance a certificate of authority to do so.

Proviso.

Proviso.

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

Section amended.

3. The Commissioner of Banking and Insurance shall issue such certificate of authority to any such medical service corporation of this State when it shall have filed in the Department of Banking and Insurance a certified copy of its charter or certificate of incorporation, a copy of its by-laws certified by the lawful custodian of the original, a statement of its financial condition in such form and detail and containing such matters as the Commissioner of Banking and Insurance shall require, signed

Commissioner shall issue certificate.

Financial statement.

and sworn to by its president and secretary or other proper officers, and when the Commissioner of Banking and Insurance is satisfied, on the basis of examination or otherwise, that the corporation is organized without capital stock and not for pecuniary profit and has complied with the requirements of this chapter and that its condition or methods of operation are not such as would render its operations hazardous to the public or its subscribers. No change in, or amendment to, or alteration in, addition to, or substitution of any document, instrument or other papers so filed shall become operative or effective until the same shall also have been filed in a similar manner. The certificate of authority issued by the commissioner shall specify the county or counties in which the corporation may conduct its business. Such certificate may be amended from time to time to include additional counties on the basis of qualification pursuant to the provisions of this act. No such certificate shall be issued to authorize a corporation to transact business in any county, or if issued, the authority with respect to such county shall be canceled by the commissioner, if he shall find that less than fifty-one per centum (51%) of the eligible physicians in any county are participating physicians. No certificate of authority shall be issued to any medical service corporation not incorporated as a corporation without capital stock not for pecuniary profit under the laws of this State.

Certificate shall specify.

Section amended.

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

Payment of medical service.

5. Every subscription contract made by any corporation subject to the provisions of this chapter to provide payment for medical services shall provide for the payment of medical services for a period of twelve months from the date of issue of the subscription certificate. Any such contract may provide that it shall be automatically renewed from year to year unless there shall have been one month's prior written notice of termination by either the subscriber or the corporation. No con-

tract between such corporation and subscriber shall allow for the payment for medical services for more than one person, except that a family contract may provide that payment will be made for medical services rendered to a subscriber and any of those dependents defined in section one of this act.

Section amended.

4. Section six of the act of which this act is amendatory is amended to read as follows:

Contract in writing.

6. Every contract entered into by any such corporation with any subscriber shall be in writing and a certificate stating the terms and conditions thereof shall be furnished to the subscriber. No such subscription certificate shall be issued or delivered by any medical service corporation of this State unless it contains the following provisions:

Amounts payable.

(a) A statement of the amounts payable to the corporation by the subscriber and the times at which the manner in which such amounts shall be paid;

Period certificate effective.

(b) A statement of the nature of the medical services to be paid for and the period during which the certificate is effective; and if there are any types of medical services to be excepted, or for which benefits are limited, a detailed statement of such exceptions and limitations printed as hereinafter specified;

Statement of terms.

(c) A statement of the terms or conditions, if any, upon which the certificate may be canceled or otherwise terminated at the option of either party;

Statement certificate constitutes contract.

(d) A statement that the subscription certificate constitutes the contract between the corporation and the subscriber and includes the endorsements thereon and attached papers, if any, and contains the entire contract;

Statement by subscriber.

(e) A statement that no statement by the subscriber in his application for a certificate shall avoid the contract or be used in any legal proceeding thereunder, unless such application or an exact copy thereof is included in or attached to the certificate, and that no agent or representative of such corporation, other than an officer or officers desig-

nated in the certificate, is authorized to change the contract or waive any of its provisions;

Statement of subscriber defaults in payment.

(f) A statement that if the subscriber defaults in making any payment under the certificate, the subsequent acceptance of a payment by the corporation or by one of its duly authorized agents shall reinstate the certificate, but with respect to sickness and injury may cover only such sickness and injury as may be first manifested more than a specified number of days, not exceeding ten, after the date of such acceptance;

Statement of period of grace to make payment.

(g) A statement of the period of grace which will be allowed the subscriber for making any payment due under the contract. Such period shall not be less than ten days;

Statement that indemnity not paid in cash.

(h) A statement that indemnity in the form of cash will not be paid to any subscriber except in payment for medical services for which the corporation was liable at the time of such payment.

Certificate may contain provision.

Any such subscription certificate may contain a provision that all medical services paid for by a medical service corporation shall be in accordance with the accepted medical practices in the community at the time, but the corporation shall not be liable for injuries resulting from negligence, misfeasance, malfeasance, nonfeasance or malpractice on the part of any officer or employee or on the part of any physician in the course of rendering medical services to subscribers.

May classify subscriber.

Any medical service corporation may classify subscribers whereby under specified circumstances a subscriber or covered dependents may pay a participating physician for medical services an amount in addition to that payable by the corporation for medical services and the subscription certificate issued to any subscriber affected thereby shall contain the provisions thereof and shall specify such circumstances.

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

7. In every such subscription certificate issued or delivered by any medical service corporation of this State:

(a) All printed portions shall be plainly printed in type of which the face is not smaller than ten point; Plainly printed.

(b) There shall be a brief description of the subscription certificate on its first page, and on its filing back in type of which the face is not smaller than fourteen points; Description.

(c) The exceptions and limitations of the contract shall appear with the same prominence in the certificate as the benefits to which they apply; and Exceptions and limitations.

(d) If the contract contains any provisions purporting to make any portion of the articles, constitution or by-laws or regulations of the corporation or plans a part of the contract, such portion shall be set forth in full in the subscription certificate. Contract provisions.

6. Section eight of the act of which this act is amendatory is amended to read as follows: Section amended.

8. Any medical service corporation may enter into agreements with eligible persons whereby such persons become participating physicians of a plan operated by the corporation and may make to such persons such payments as shall have accrued by reason of services required to be performed under the plan. No person shall become a participating physician unless he shall be a physician licensed to practice medicine and surgery in the State of New Jersey, pursuant to chapter nine, Title 45, of the Revised Statutes. Any medical service corporation may enter into contracts for the payment of medical services to the subscribers or members of similar nonprofit medical service corporations of other States subject to the supervision of such other States, and shall have the right to make payment to any other nonprofit medical service corporation, or to any physicians licensed to practice medicine and surgery in this or any other State for services May enter into agreements.

rendered to its subscribers and their dependents at not exceeding the same rate paid participating physicians under the certificate of the subscriber.

Section amended.

7. Section eleven of the act of which this act is amendatory is amended to read as follows:

Copy of agreement filed with commissioner.

11. No corporation subject to the provisions of this chapter shall enter into any contract with a subscriber unless and until it shall have filed with the Commissioner of Banking and Insurance a copy of the agreement proposed to be entered into by the corporation and the participating physicians. Every such agreement shall provide for the payment for medical services to subscribers and covered dependents to the end of the subscription certificate year; that thirty days written notice of termination of such agreement may be given to the corporation at any time by any participating physician but shall not apply to any subscription certificate in force at the time of such notice until the first date thereafter when such subscription certificate may properly be terminated by the corporation, and that the agreement of the physician to render such service to the end of any certificate year shall not be affected by cessation of the transaction of business by reason of appropriate resolution of the board of trustees, or directors of such corporation, injunction issued by a court of competent authority, legislative act or by any other exercise of judicial, administrative or legislative authority; *provided,* that this requirement shall not apply to any subscription certificate which is not maintained in force by the payment of premiums required thereby. There shall be included in the minutes of the board of trustees of every such corporation a record of the approval of payments to be made to participating physicians. The corporation shall maintain in its office complete records of all the medical services rendered to subscribers and covered dependents in such form as will indicate the kind of services rendered, the amounts claimed for such services by the participating physicians, and the amounts paid by the

Proviso.

corporation. No payment to any participating physicians shall be authorized by the board of trustees except in accordance with a plan of payments adopted by the board and recorded in the minutes of a meeting.

Section amended.

8. Section twenty of the act of which this act is amendatory is amended to read as follows:

Becomes insolvent.

20. Whenever any medical service corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or whenever the Commissioner of Banking and Insurance shall ascertain, as a result of examination as authorized by this chapter, or in any other manner, that any such medical service corporation is exceeding its powers or violating the law or that its condition or methods of business are such as to render the continuance of its operations hazardous to the public or its members, that its assets are less than its liabilities or that the number of subscribers to its service has decreased to less than one hundred persons, or that it has failed to maintain the number of participating physicians specified by this act, said commissioner shall have authority to apply to the Court of Chancery for an injunction restraining it from the transaction of any further business, or from the transfer or disposal of its property in any manner whatsoever, and the court, being satisfied of the sufficiency of the application, may order an injunction and appoint a receiver, with power to sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenement, books, papers, choses in action, bills, notes and property of every description belonging to such medical service corporation and sell and convey and assign the same, and hold and dispose of the proceeds thereof under the directions of the Court of Chancery. Any such medical service corporation may be deemed insolvent whenever it is presently or prospectively unable to fulfill its outstanding contracts and to maintain the reserves required pursuant to this chapter.

Appoint a receiver.

Section amended.

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

Penalty.

22. Any medical service corporation of this or any other State, country or province which shall have violated any of the provisions of or shall have neglected, failed or refused to comply with any of the requirements of this chapter, except the failure to file an annual statement, shall be liable to a penalty of five hundred dollars ($500.00), such penalty to be sued for and collected by the Commissioner of Banking and Insurance in an action upon contract in the nature of an action for debt in the name of the State; such penalty when recovered shall be paid by the Commissioner of Banking and Insurance into the State treasury for the use of the State. Any officer, agent, employee or member of any such corporation doing business in this State, or any other person who shall issue, circulate or cause or permit to be circulated, any estimate, illustration, circular of any sort misrepresenting the terms of any contract issued by such corporation, or any other such corporation authorized to transact business under this chapter, or misrepresent the benefits or advantages promised thereby, or use any name or title of any contract or class of contracts misrepresenting the true nature thereof, and any person who shall solicit, negotiate or effect the issue of any contract or subscription certificate of any medical service corporation of this or any other State which shall have neglected, failed or refused to procure a certificate of authority as provided for by the provisions of this chapter, or who shall accept any premiums, dues, deposits, contributions, fees, assessments or thing of value of any kind in consideration for such contract or certificate on behalf of such corporation, shall be adjudged guilty of a misdemeanor.

Guilty of misdemeanor.

10. This act shall take effect immediately.

Approved April 13, 1944,

CHAPTER 103

AN ACT vacating, relinquishing and abandoning the right, title and interest of the State of New Jersey in and to all right- or rights-of-way across certain lands situate in the township of Ewing, county of Mercer and State of New Jersey.

WHEREAS, The State of New Jersey did acquire and is possessed of a right- or rights-of-way across certain lands situate in the township of Ewing, in the county of Mercer and State of New Jersey, which lands are hereinafter particularly described; and Preamble.

WHEREAS, The said right- or rights-of-way are no longer needed or necessary for State purposes and the State of New Jersey is desirous of relinquishing and abandoning the same; and Preamble.

WHEREAS, Notice of intention to apply for the passage of this act has been given as required by the Constitution and the statutes of this State; therefore, Preamble.

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

1. The right, title and interest of the State of New Jersey in and to all right- or rights-of-way in and across the following-described lands and premises is hereby vacated, relinquished and abandoned. Right-of-way vacated.

2. The said lands and premises are particularly described as follows:

Situate in the Township of Ewing, County of Mercer and State of New Jersey:

Beginning at a point in the centre of Parkway Avenue (formerly Scotch Turnpike Road) at the corner of a tract of land formerly of John B. Fell Description.

and William Roberts, subsequently of Isaiah Birks and now or late of the Township of Ewing, and running thence (1) along the line of said mentioned lands South 54 degrees 55 minutes West three hundred ninety-eight (398) feet to a point in line of lands formerly of George Dean, now of the State of New Jersey; thence (2) South 46 degrees 15 minutes East, along the line of said last mentioned lands, eighty-two (82) feet to a corner of said last mentioned lands; thence (3) South 21 degrees 45 minutes West, still along the line of said lands of the State of New Jersey, six hundred eighty-three and eight tenths (683.8) feet to a corner in said line; thence (4) South 21 degrees 15 minutes West three hundred thirty-nine and nine-tenths (339.9) feet to a point, corner in the line of lands of the Trenton Branch Delaware and Bound Brook Railroad; thence (5) along the line of lands of said Railroad South 31 degrees 38 minutes East, one thousand sixty-seven and six tenths (1067.6) feet to a corner in line of lands formerly of Henry McCall; thence (6) along the line of said lands formerly of Henry McCall South 48 degrees 45 minutes East two hundred thirty-nine and four tenths (239.4) feet to another corner in said line; thence (7) still along the line of said lands formerly of Henry McCall North 21 degrees 30 minutes East six hundred thirty-eight and two tenths (638.2) feet to another corner in said line; thence (8) still along the line of said lands formerly of Henry McCall North 21 degrees 40 minutes East six hundred thirty-three and six tenths (633.6) feet to a point in Parkway Avenue (formerly Scotch Turnpike Road); thence (9) North 17 degrees West one hundred seventy-five and six tenths (175.6) feet to a point in said Parkway Avenue; thence (10) along said Parkway Avenue North 24 degrees 45 minutes West two hundred two and six tenths (202.6) feet to a point; thence (11) along said Parkway Avenue North 29 degrees West eight hundred eighty-two (882) feet to the corner of said first mentioned lands of the Township of Ewing and the point and

place of Beginning. (The bearings and distances given are according to the compass of 1874 and the width and dimensions of Scotch Turnpike Road, now known as Parkway Avenue, are according to 1874.)

3. This act shall take effect immediately.

Approved April 13, 1944,

CHAPTER 104

AN ACT concerning the investment of deposits in savings banks, and amending section 17:6–54, and supplementing article six of chapter six of Title 17 of the Revised Statutes.

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

1. Section 17:6–54 of the Revised Statutes is amended to read as follows: Section amended.

17:6–54. The deposits may also be invested: Deposits invested.

(a) In mortgage bonds issued, guaranteed or assumed by any railroad company, or which the railroad company has otherwise covenanted or agreed to pay; and secured by a first lien upon not less than three-fourths of the rail mileage included in the mortgage or by a refunding mortgage under which bonds may be issued for the retirement or refunding of all prior lien mortgages on the property covered by the refunding mortgage, or by liens prior to the refunding mortgage; *provided,* that the railroad company (hereinafter in this section sometimes called an eligible railroad company). Mortgage bonds. Proviso.

(1) shall have had a balance of income available for the payment of fixed charges annually for at least four of the five fiscal years, and in the last fiscal year, next preceding the investment, or for at least four of five consecutive twelve-months periods Balance of income.

ending within six months next preceding the investment, and in the last of such periods, or, in the case of bonds issued, within five years preceding such investment, by a railroad company which has been reorganized under the Federal law or through equity receivership, for at least three of the four fiscal years, or for at least three of four consecutive twelve-months periods ending within six months, next preceding the investment, and in the last of such fiscal years or twelve-months periods (including any part of such four fiscal years or twelve-months periods during which it was in reorganization or receivership), equivalent to twice the annual requirement for fixed charges at the time of such investment, and shall have had remaining after the deduction therefrom of an amount equivalent to the annual requirement for fixed charges at the time of such investment, an amount equivalent to at least ten per centum (10%) of railway operating revenues; and

Operated not less than five hundred miles

(2) shall, or its corporate predecessor shall, for five fiscal years preceding the investment, have owned and operated not less than five hundred miles of standard gauge railroad line within the United States, exclusive of sidings, or shall have had railway operating revenues of not less than ten million dollars ($10,000,000.00).

Fixed charges

The terms "balance available for fixed charges," "fixed charges" and "railway operating revenues," as used in this section, are to be given the same meaning as in the accounting reports prescribed by the regulations for common carriers by rail subject to the provisions of the Interstate Commerce Act; *provided,* that the "balance of income available for fixed charges," and "amount remaining after deduction of an amount equivalent to the annual requirement for fixed charges," as the terms are used in this section, shall be computed before deduction of Federal income or excess profits taxes; and that in computing "annual requirement for fixed charges," as the term is therein used, interest and amortization charges in respect

Proviso.

of debt called for redemption, or which will otherwise mature, within six months from the time of such investment, for the payment of which funds have been or are being contemporaneously specifically set aside in trust, shall be excluded.

(b) in mortgage bonds secured by

(I) a lien upon property leased to and operated by any railroad company which

Lien upon property.

(1) has guaranteed or assumed or otherwise covenanted or agreed to pay the interest upon such bonds and a sum sufficient to pay dividends upon the capital stock of the lessor company outstanding at the time of the investment of not less than four per centum (4%) per annum during the unexpired term of the lease and is an eligible railroad company, or

Guaranteed to pay interest on bonds.

(2) has guaranteed or assumed or otherwise covenanted or agreed to pay the principal and interest of such bonds and a sum sufficient to pay dividends upon the capital stock of the lessor company outstanding at the time of the investment of not less than four per centum (4%) per annum during the unexpired term of the lease and which (aa) shall have had a balance of income available for the payment of fixed charges annually for at least four of the five fiscal years, and in the last fiscal year, next preceding the investment, or for at least four of five consecutive twelve-months periods ending within six months next preceding the investment, and in the last of such periods, equivalent to one and one-half times the annual requirement for fixed charges at the time of such investment, and shall have had remaining after the deduction therefrom of an amount equivalent to the annual requirement for fixed charges at the time of such investment, an amount equivalent to at least seven and one-half per centum (7½%) of railway operating revenues and (bb) shall meet the requirements of subparagraph (2) of the preceding paragraph (a); or

Guaranteed to pay principal and interest.

(II) a lien upon leased property which is prior to the lien of a refunding mortgage thereon, under

Refunding of all prior lien mortgage.

which bonds may be issued for the retirement or refunding of all prior lien mortgages on the property covered by the refunding mortgage and the bonds secured by which are legal for investment under the preceding subparagraph (I).

Bonds secured by mortgage.

(c) In bonds secured by any mortgage upon a railroad terminal, depot, tunnel or bridge used by one or more railroad companies which have guaranteed the payment of principal and interest of the bonds or have otherwise covenanted or agreed to pay the same; *and provided,* that (1) at least one such guarantor company is an eligible railroad company or (2) that at least two such guarantor companies (aa) shall have had a balance of income available for the payment of fixed charges annually for at least four of the five fiscal years, and in the last fiscal year, next preceding the investment, or for at least four of five consecutive twelve-months periods ending within six months next preceding the investment, and in the last of such periods, equivalent to one and one-half times the annual requirement for fixed charges at the time of such investment and shall have had remaining after the deduction therefrom of an amount equivalent to the annual requirement for fixed charges at the time of such investment an amount equivalent to at least seven and one-half per centum (7½%) of railway operating revenues and (bb) shall meet the requirements of subparagraph (2) of the preceding paragraph (a).

Proviso.

Bonds of any railway terminal.

(d) In bonds of any railway terminal or dock company of this State, secured by first mortgage on terminal or dock property fronting on the Hudson river or New York bay and having an assessed value for the purpose of taxation in excess of the amount of the entire issue of bonds, and used and occupied as a dock or terminal railroad by a railroad company now operating in this State; *provided,* that the payment of no part of the principal or interest of such bonds shall have been in default for more than six months at any time within the five years next preceding the investment and that

Proviso.

no part thereof is in default at the time of the investment.

2. a. The board of managers, in determining whether any bond, debenture, other security or investment meets the requirements as to the legality of investment therein, may rely and be fully protected in relying upon statistical, financial, corporate or other information as to such bond, debenture, other security or investment, and upon ratings or other opinion as to the financial or other status thereof, or its legality for investment, contained in or offered by any financial, statistical, investment, rating or other publication or service published for the use of and accepted as reliable by the Commissioner of Banking and Insurance; Board of managers determine.

b. An investment made by a savings bank, legal under the laws of this State when made, shall continue to be legal, anything in this act to the contrary notwithstanding, but nothing herein contained shall relieve the board of managers from the duty to exercise reasonable discretion in deciding whether to retain or to dispose of such investment; *provided, however,* that any securities issued in exchange therefor under any reorganization or recapitalization, if not legal for investment under this act, shall be sold or disposed of within five years from the time of acquisition by the savings bank unless upon application by said bank to the commissioner he shall extend the time for the sale or disposition thereof. Investment made by savings bank. Proviso.

3. This act shall take effect immediately.

Approved April 13, 1944.

New Jersey State Library

CHAPTER 105

AN ACT continuing the Commission on Statutes in the legislative branch or department of the State Government under the name of Law Revision and Bill Drafting Commission, and defining the powers and duties of such commission and designating it as the permanent Law Revision Agency of the State. (Revision of 1944.)

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

C. 19:9-9. Law and bill drafting commission.

1. The Commission on Statutes created by "An act to create a Commission on Statutes and to define its powers and duties, and to repeal an act entitled 'An act to create a law revision committee and to define its powers and duties,' approved March thirteenth, one thousand nine hundred and twenty-five," approved June twelfth, one thousand nine hundred and thirty-nine, hereby is continued in the legislative branch or department of the State Government under the name of Law Revision and Bill Drafting Commission, and hereby is designated as the permanent Law Revision Agency of the State to examine all of the statutory law, and to recommend to the Legislature such revisions thereof as are needed, from time to time.

Commission.

The commission shall consist as heretofore of one member of the Senate to be appointed each year by the President thereof, one member of the General Assembly to be appointed each year by the Speaker thereof and three commissioners, who shall be counsellors-at-law of at least ten years' standing and shall be appointed by the Governor with the advice and consent of the Senate for terms of six years, but the members of the commission now in office shall continue in office until the expiration of the respective terms for which they were appointed.

Terms.

The terms of the members appointed by the President of the Senate and the Speaker of the General Assembly shall continue from the date of their respective appointments until the second Tuesday in January following and the three commissioners appointed by the Governor shall continue in office after the expiration of their respective terms until their respective successors are appointed and shall qualify.

Vacancies.

Vacancies occurring in the membership of the commission, otherwise than by expiration of term, shall be filled in the same manner as those occurring by expiration of term but for the unexpired terms only.

Eligible to appointment.

Any officer or employee of this State or of any bureau or commission thereof, or of any county or municipality of this State shall be eligible to appointment as a member of said commission and his acceptance of such appointment and service upon said commission shall not in any manner affect his holding of such office, position or employment, or cause the vacation thereof notwithstanding the provisions of any statute to the contrary.

Reimbursed for expenses.

The members of the commission shall receive no compensation for their services but shall be reimbursed for expenses incurred in the performance of their duties.

C. 1:9-10. Chairman.

2. The members of the commission shall annually elect one member as chairman thereof, who shall hold office after the expiration of his term until his successor shall be elected and shall qualify.

Duty.

3. It shall be the duty of the commission:

C. 1:9-11. Suggest legislation.

(a) To suggest to the Legislature, from time to time, such revisions of the legislation contained in the Revised Statutes, and of the legislation, from time to time, enacted subsequent to the enactment of the Revised Statutes, as may be necessary to maintain the general and permanent statute law of this State in revised, consolidated and simplified form under the general plan and classification of the Revised Statutes, and as may be necessary and desirable for the purpose of reconciling conflicting

provisions, excising overlapping provisions and confusing and redundant expressions, and generally simplifying the statute law of this State;

Examine law.

(b) To examine the common and statutory law of this State and the judicial decisions, for the purpose of discovering defects in the law, and to receive and consider suggestions from judges, public officials, lawyers and the public generally for the modification of the statute law; to consider proposed changes in the law which may, from time to time, be recommended by the American Law Institute, the Commissioners for the Promotion of Uniformity of Legislation in the United States, any bar association or other learned body, and to recommend to the Legislature, from time to time, such changes in the statute law as may be deemed necessary or desirable to remedy any such defects, to accomplish such proposed changes or to bring the law of this State, civil and criminal, and the administration thereof, into harmony with modern conceptions and conditions;

Preserve records.

(c) To preserve the records of the Commission on Revision and Consolidation of the Public Statutes appointed pursuant to chapter seventy-three of the laws of one thousand nine hundred and twenty-five, or such parts thereof as in the judgment of the commission will be of permanent value.

C. 1:9-12. Appoint counsel.

4. The commission shall appoint counsel, not exceeding two in number, who shall be counsellors-at-law of New Jersey of not less than five years' standing and shall be experienced in the practice of the law in New Jersey and in the work of revision of statutes and the drafting of legislation.

Duties.

The commission shall prescribe the duties of counsel, subject to the provisions of this act, and shall fix their compensation.

Appoint assistants.

The commission may appoint such assistants to counsel and other employees as it may deem necessary and shall prescribe their duties and fix their compensation.

All employees of the commission, including counsel and assistants to counsel, are continued and confirmed in their respective positions. Employees continued.

5. The commission shall maintain a bureau to be conducted by its counsel for the furnishing of assistance to the Legislature and to the members and committees thereof and to the various State departments, officers, institutions and agencies, under such regulations as the Legislature may prescribe, by C. 1:9-13. Maintain bureau.

(1) drafting, aiding in drafting and redrafting bills, resolutions and amendments thereof, for introduction in the Legislature, and other legislative documents, upon the request of or for any member or committee of the Legislature or any State officer, department, institution or agency; Aid in drafting bills.

(2) examining and editing legislative bills proposed for introduction or introduced in the Senate and General Assembly, from time to time, so as to assure their compliance with the form and general classification of the Revised Statutes, wherever possible, when so directed or requested by the Legislature or any committee thereof; Examine and edit bills.

(3) furnishing information to the Legislature and any member or committee thereof or to the various State departments, officers, institutions and agencies, in matters concerning the statutes, when so requested; and Furnish information.

(4) performing such other duties as the Legislature shall, from time to time, designate. C. 1:9-14. Duties.

6. The commission shall report to the Legislature once each year, and at such other times as it may deem advisable, and may accompany its report with proposed bills designed to carry out any of its recommendations. C. 1:9-15. Report to Legislature.

7. All sums heretofore or hereafter appropriated to the Commission on Statutes shall be transferred Sums appropriated transferred.

to the credit of and be available for the use of the Law Revision and Bill Drafting Commission.

8. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 106

AN ACT relating to public education, and amending section 18:14–47 of the Revised Statutes.

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

Section amended.

1. Section 18:14–47 of the Revised Statutes is amended to read as follows:

Resolution requesting appointment.

18:14–47. Whenever a majority of the boards of education of any county other than counties of the first class has by resolution requested the appointment of a county attendance officer or officers and, upon investigation, the Commissioner of Education and the State Board of Education shall deem the appointment of a county attendance officer or officers to be for the best interests of the schools of that county, the commissioner shall appoint, by and with the advice and consent of the State board, a suitable person or persons to be known as the county attendance officer or officers for the county who shall perform in all districts of the county exclusive of city school districts such duties as may be prescribed by rules and regulations adopted by the State Board of Education. Each county attendance officer shall have the same power to enforce the compulsory school law and all rules and regulations connected therewith as is conferred upon attendance officers appointed by local boards of education. If any such person so appointed a county attendance officer is in possession of a proper visiting teacher's certificate, in full force

Commissioner shall appoint.

and effect, such county attendance officer shall be designated "Home and School Counsellor," and such "Home and School Counsellor," in addition to the powers of a county attendance officer, shall have all the powers of a visiting teacher. The term of office of such county attendance officer shall be for one year and the commissioner shall fix the salary of such county attendance officer or officers with the approval of the State Board of Education.

Home and school counsellor.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 107

AN ACT concerning education, and amending section 18:14–82 of the Revised Statutes.

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

1. Section 18:14–82 of the Revised Statutes is amended to read as follows:

Section amended.

18:14–82. Any pupil or student who has completed or shall complete the work of the junior year in any of the public high schools or educational institutions and who heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter in time of war, shall enter the active military or naval service of the United States or the active service of the United States Merchant Marine or the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, or the active military or naval service of the Dominion of Canada, and who continued or shall continue to attend the regular sessions in any of the public high schools or educa-

Any student who has completed junior year.

tional institutions until twenty-one days prior to such entry and whose school work has been satisfactory until twenty-one days prior to such entry, shall be given credit for the work of the complete senior year without examination, and shall be entitled to and receive the diploma, certificate, degree, or other credentials or standings awarded to those pupils or students of the school or institution who have satisfactorily completed the work of the said senior year.

Give credit for work.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 108

AN ACT providing for a method of the payment of delinquent taxes upon real property in installments, and amending section 54:5–19 of the Revised Statutes.

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

Section amended.

1. Section 54:5–19 of the Revised Statutes is amended to read as follows:

Enforce lien.

54:5–19. When unpaid taxes or any municipal lien, or part thereof, on real property, remains in arrears on July first in the calendar year following the calendar year when the same became in arrears, the collector or other officer charged by law in the municipality with that duty, shall subject to the provisions of the next paragraph, enforce the lien by selling the property in the manner set worth in this article.

Term "collector."

The term "collector" as hereinafter used includes any such officer, and the term "officer" includes the collector.

The municipality may by resolution direct that where unpaid taxes or other municipal liens, or part thereof, are in arrears for more than one year, such sale shall include only such unpaid taxes or other municipal liens as were in arrears in the year designated in such resolution, and may by resolution, either general or special, direct that there shall be omitted from such sale any or all such unpaid taxes, and other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made, in pursuance to such agreement as may be authorized by said resolution between the collector and the owner or person interested in the property upon which such delinquent taxes may be due; *provided,* that said agreement shall require payment of such installment payments in amounts large enough to pay in full all delinquent taxes, assessments and other municipal liens held by the municipality, in not more than five years from the date of such agreement; *provided,* that the extension of time for payment of such arrearages herein authorized shall not apply to any parcel of property which prior thereto has been included in any plan theretofore adopted by any municipality of this State under and pursuant to the provisions of any public statute of this State whereunder prior extensions for the payment of delinquent taxes were authorized; *provided further,* that the right of any person interested in such property to pay such arrears in such installments shall be conditioned on the prompt payment of the installments of taxes for the current year in which such agreement is made, and all subsequent taxes, assessments and other municipal liens imposed or becoming a lien thereafter, including all installments thereafter payable on assessments theretofore levied, and also the prompt payment of all installments of arrears as hereinbefore authorized; *and provided further,* that in case any such installment of arrears or any new taxes, assessments or other liens are not promptly paid, that is to say, within

Municipality may by resolution.

Proviso.

Installment payments.

Proviso.

Proviso.

Proviso.

thirty days after the date when the same is due and payable, then such agreement shall be void, and in any such case the collector, or other officer charged by law with that duty, shall proceed to enforce such lien by selling in the manner in this article provided.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 109

AN ACT concerning wills, and supplementing chapter two of Title 3 of the Revised Statutes.

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

Subscribing witness.

1. When the only living subscribing witness or witnesses to the will of a resident of this State is not or are not available in this State to prove such will, because of absence from the State in the active military or naval service of the United States in time of war or of any ally of the United States in time of war, such will shall be admitted to probate upon proof of the signatures of the subscribing witnesses to said will; *provided*, that such will would be admitted to probate upon the proof of the signatures of the subscribing witnesses in case the subscribing witnesses were all dead.

Not competent witness.

2. No person to whom a beneficial estate, interest, gift or appointment is given or made by such will shall be a competent witness to prove the signature of any such subscribing witnesses, under the provisions of this act.

Misdemeanor.

3. Any person, who acts as a witness to prove the signature of any subscribing witnesses under the provisions of this act, and who, in any manner or under any color or pretense whatsoever, demands, receives or accepts from any person any

satisfaction or compensation, over and above a reasonable amount to compensate him for the time and the expense involved, for so testifying, shall be guilty of a misdemeanor.

Intention of act.

4. This act is intended to provide an additional method of probate of wills in certain cases and shall not be construed to limit or exclude any other method.

5. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 110

AN ACT concerning State aid to municipalities for roads, and amending sections 27:15–1, 27:15–4, 27:15–10 and 27:15–11 of the Revised Statutes.

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

Section amended.

1. Section 27:15–1 of the Revised Statutes is amended to read as follows:

Set aside $2,625,000.00 annually.

27:15–1. There shall be set aside annually on October first or as soon thereafter as available from the net receipts of the motor vehicle fund the sum of two million six hundred and twenty-five thousand dollars ($2,625,000.00) which shall be used to meet the State's share of the cost of the work hereinafter in this chapter prescribed. Payments from this fund shall be made in the same way as other payments from the motor vehicle fund.

State highway commissioner.

The State Highway Commissioner shall reserve each year the sum of one hundred and twenty-five thousand dollars ($125,000.00) to meet the State's share in each county until January first.

$75,000.00 available for each county.

Seventy-five thousand dollars ($75,000.00) of the sum so reserved for each county shall be available in the manner set forth in this chapter for the construction or reconstruction in each county of town,

township, village and borough roads and roads in cities having a population of not more than fourteen thousand inhabitants, and fifty thousand dollars ($50,000.00) thereof shall be available in the manner set forth in this chapter for the maintenance and repair in each county of such roads.

Available for construction of roads.

Any part of such fifty thousand dollars ($50,000.00) which shall not be applied for by requisition of the board of chosen freeholders of the county as hereinafter provided by October first shall be added to the seventy-five thousand dollars ($75,000.00) available for the construction or reconstruction in such county of town, township, village and borough roads and roads in cities having a population of not more than fourteen thousand inhabitants, and shall be available for such construction or reconstruction in the manner set forth in this chapter.

Board of chosen freeholders to distribute.

Any part of such seventy-five thousand dollars ($75,000.00), together with any part of such fifty thousand dollars ($50,000.00) added thereto as hereinbefore provided, which shall not be applied for by January first shall be paid by the commissioner to the board of chosen freeholders of such county and shall be by it distributed in its discretion to, and expended under its supervision by, the towns, townships, villages, boroughs and cities having a population of not more than fourteen thousand inhabitants of such county, for the construction or reconstruction, grading, drainage, maintenance and repair of town, township, village and borough roads and roads in cities having a population of not more than fourteen thousand inhabitants, of such county.

Section amended.

2. Section 27:15–4 of the Revised Statutes is amended to read as follows:

May apply to commissioner for aid.

27:15–4. Any town, township, village, borough and any city having a population of not more than fourteen thousand inhabitants, may on its own motion apply to the commissioner for aid in construction or reconstruction work under this chapter. The application may be passed by resolution

of the governing body of the municipality at any meeting. It shall set forth the road or roads on which it is proposed that the work shall be done and the beginning and ending points of such work, and the amount of money the governing body may be authorized to spend on the work, including contributions thereto.

Notify governing body of approval.

The commissioner shall decide which of such applications in any county will best serve the interest of the municipality, county and State. He shall notify the governing bodies of the municipalities of his approval of the applications and shall thereupon enter into a written agreement with them for the necessary planning and surveying and for doing the actual work and the inspection thereof. The work may be performed, in whole or in part, by the labor of prisoners or by contract, either with or without advertisement, except that advertisement shall be made upon demand of the commissioner.

Section amended.

3. Section 27:15–10 of the Revised Statutes is amended to read as follows:

Set aside fund.

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

Funds paid to boards of chosen freeholders.

Funds may be used for maintenance of roads.

These funds within the limits of the amount appropriated to each county may be used for the maintenance of roads and related road facilities leading to and from plants devoted to defense work, for the purpose of expediting the travel of defense workers to and from these plants and providing protection and safety to the traveling public. Contributions may be accepted from any person toward the cost of this work and the financial officer shall receive such contributions and properly credit them, on behalf of the spending authority; *provided,* that the provision for use of such funds for defense purposes shall be inoperative and of no effect after the present war.

Section amended.

4. Section 27:15–11 of the Revised Statutes is amended to read as follows:

Board of chosen freeholders to distribute fund.

27:15–11. The board of chosen freeholders of each county to which the funds are allotted shall distribute them to the municipalities which have constructed or reconstructed roads under the provisions of this chapter in accordance with the intent and provisions of section 27:15–10 of this Title.

5. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 111

AN ACT regulating nets in the Mullica river.

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

Unlawful to fasten net.

1. It shall be unlawful for any person or persons to erect, fasten or fix a net of any description, or other device, for the purpose of catching fish in the Mullica river, within one-eighth of a mile of any fishery on such river for which the owner pays tax,

Penalty.

under a penalty of twenty dollars ($20.00) for each offense.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 112

AN ACT relating to taxation and finance, providing for the establishment, organization and functions of a State Department of Taxation and Finance, repealing the following sections of the Revised Statutes: 52:18–22, 52:18–23; 52:19–16 to 52:19–36, inclusive; 52:20–3, 52:20–8, 52:20–9, 52:20–10, 52:20–11, 52:20–12, 52:20–16; 52:22–1 to 52:22–22, inclusive; 52:23–1 to 52:23–16, inclusive; 52:25–7, 52:25–8, 52:25–9, 52:25–10, 52:25–15, 52:25–17, 52:25–18, 52:25–19, 52:25–20, 52:25–21, 52:25–22, 52:25–24; 52:31–1, 52:31–7, 52:31–9, 52:31–10, 52:31–11; 54:1–3, 54:1–4, 54:1–5; and repealing sections eight and twelve of an act entitled "An act creating a State Department of Local Government, prescribing its powers and duties, and transferring to it certain powers and duties vested in the State Auditor," approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 158).

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

ARTICLE 1

DEFINITIONS

1. As used in this act, unless the context clearly indicates otherwise: C. 52:27B-1.

"Department" means the State Department of Taxation and Finance herein established. Department.

"Commissioner" means the commissioner and head of the State Department of Taxation and Finance. Commissioner.

Director.

"Director" means the director of an indicated division, herein established, in the State Department of Taxation and Finance.

Request officer.

"Request Officer" means the principal officer of a department or board in the Executive Branch of the State Government.

ARTICLE 2

STATE DEPARTMENT OF TAXATION AND FINANCE; COMMISSIONER

C. 52:27B-2. State department of taxation and finance.

1. There is hereby established, in the Executive Branch of the State Government, the State Department of Taxation and Finance.

C. 52:27B-3. Divisions.

2. The following are hereby established as divisions in the department:

The Division of Budget and Accounting.
The Division of Purchase and Property.
The Division of Local Government.
The Division of Taxation.
The Division of Tax Appeals.

C. 52:27B-4. State commissioner of taxation and finance.

3. The administrator and head of the department shall be the State Commissioner of Taxation and Finance. The commissioner shall be appointed by the Governor by and with the advice and consent of the Senate and shall hold his office until the next Governor shall be elected and qualified and until the commissioner's successor shall be appointed and qualified. The Governor, however, shall have power to remove the commissioner for cause.

C. 52:27B-5. Salary.

4. The commissioner shall receive an annual compensation of twelve thousand dollars ($12,000.00).

C. 52:27B-6. Powers.

5. The commissioner, in addition to powers and duties specifically conferred and imposed upon him, shall have the following general powers and duties, to:

a. Maintain suitable headquarters for the department and such other quarters within the

State as he may deem necessary to the department's proper functioning;

b. Have general responsibility for all of the department's operations under this act;

c. Supervise the organization of the department and changes in the organization thereof except that the divisions and bureaus of the department herein specifically provided shall be maintained; formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers and employees;

d. Make an annual report to the Governor and to the Legislature of the department's operations, and render such other reports as the Governor shall from time to time request.

C. 52:27B-7. Transfer of personnel.

6. The commissioner may, in consultation with the heads of other departments or branches of the State Government, and subject to section six, article eight, of this act, arrange for the interdepartmental and intradepartmental transfer of personnel with a view to the greatest possible efficiency of departmental operations.

C. 52:27B-8. Administrative division.

7. The commissioner shall have authority to organize and maintain in his offices an Administrative Division and to employ therein such secretarial, clerical and other assistants as his office and the internal operations of the department shall require.

C. 52:27B-9. Deputy commissioner.

8. The commissioner shall designate as deputy commissioner one of the directors who shall exercise the powers and perform the duties of the commissioner during his disability or absence, which designation, in writing, shall be filed with the Secretary of State.

ARTICLE 3

DIVISION OF BUDGET AND ACCOUNTING

C. 52:27B-10. Division of budget and accounting.

1. The Division of Budget and Accounting shall be headed by a director who shall be the Commissioner of Taxation and Finance.

C. 52:27B-11. Organize division.

2. The commissioner shall have authority to organize the division for the effective performance of its functions and purposes herein set forth.

C. 52:27B-12. Bureau of budget.

3. There is hereby established in the Division of Budget and Accounting the Bureau of the Budget. The commissioner, through the Bureau of the Budget, shall carry into effect and execute the formulation of the annual budget submitted by the Governor to the Legislature and shall control the execution of the budget through a system of allotments by work programs.

C. 52:27B-13. Procedure.

4. The commissioner, through the Bureau of the Budget, shall follow the provisions and procedures set forth in sections five through twenty-three, inclusive, of this article.

C. 52:27B-14. Request for appropriation.

5. On or before October first in each year each department of the State Government, board, commission, officer or other State agency, hereinafter in this article called "spending agency," shall file with the commissioner a request for appropriation or permission to spend, as the case may be, which shall specify all expenditures proposed to be made by such spending agency during the next ensuing fiscal year.

C. 52:27B-15. Request officer.

6. A request provided in section five shall be made by the request officer. In the case of the judiciary, the request officer shall be the clerk of the Court of Errors and Appeals, under the direction of the Chancellor and the Chief Justice of the Supreme Court and, in the case of the Legislature, the request officer shall be the secretary of the Senate and the clerk of the House of Assembly, respectively.

C. 52:27B-16. Request on forms.

7. Said request shall be made on forms to be furnished by the commissioner and subject to such

rules and regulations as he shall prescribe from time to time and shall show in detail:

a. A statement exhibiting for the next ensuing fiscal year all estimated revenues; the estimate of revenues for the current fiscal year and the actual revenues for the past completed fiscal year;
b. The several purposes and itemized amounts for which appropriations or permissions to spend are requested, without deductions for estimated revenues allocated to such spending agency;
c. A statement exhibiting for the last preceding fiscal year the amounts of the annual and supplemental appropriations, transfers of appropriations, allotments from the emergency fund, dedicated receipts, if any, and of all expenditures made thereunder and the unexpended balance, if any, and the extent to which the same is obligated or encumbered;
d. A statement indicating how much of the requested appropriation will be spent in each quarter of the fiscal year.

In case an appropriation is requested for a project which cannot be completed within the next ensuing fiscal year, the request shall set forth in detail a complete description of the whole project and the estimated and detailed cost thereof, and shall show separately the part of the project which has been completed, if any, and the actual cost thereof; the part remaining to be completed and the estimated cost thereof, and the part proposed to be completed within the ensuing fiscal year and the estimated cost thereof.

C. 52:27B-17. State highway commissioner to submit schedule.

8. On or before the first of October in each year, the State Highway Commissioner shall submit to the commissioner the schedule and program for which he proposes to expend or use the amounts appropriated to said department for the ensuing fiscal year, according to purposes, routes and sections of routes.

Such program may include alternate projects which may be substituted for other projects included in the program, should it be found impossible or impracticable to construct or carry on any one or more of said projects in the program. This schedule shall become a part of the request for appropriation made by the State Highway Commissioner.

On or before December tenth of each year the State Highway Commissioner shall notify the clerk of the board of chosen freeholders of each county as to the amount of county and township and borough aid appropriated and available for the county and each municipality within the county applicable to the ensuing calendar year, and it shall be lawful for the several counties and municipalities to include such amount in their respective budgets, and said amounts shall be available to the State Highway Commissioner for allotment to the said counties and municipalities at the beginning of said ensuing calendar year, and commitments may be made against said amounts by said counties and municipalities, subject to the approval of the State Highway Commissioner, immediately after the beginning of said ensuing calendar year.

C. 52:27B-18. Requests for appropriations.

9. Upon the receipt of requests for appropriations, the commissioner, or a member of the department designated by him, shall examine such requests and determine the necessity or advisability thereof, and for that purpose may hold hearings thereon which shall be open to the public, and may summon and examine the request officers and any witnesses and order the production of any State records for his examination, and make any investigation which he deems necessary or advisable for the purpose of making such determination.

C. 52:27B-19. Commissioner shall certify.

10. On or before December thirty-first of each year, or at such other time or times as the Governor may request, the commissioner shall certify and transmit to the Governor and Governor-elect the requests of the spending agencies, together with

his findings, comments and recommendations thereon.

C. 52:27B-20. Governor to consider requests.

11. The Governor shall examine and consider all requests for appropriations, together with the findings and recommendations of the commissioner, and shall formulate his budget recommendations which shall be transmitted to the Legislature as a budget message on the third Tuesday of January in each year, except a year in which a Governor shall be inaugurated, when he shall do so on or before February fifteenth following the commencement of his term.

Budget message.

The budget message shall embody the proposed complete financial program of the State Government for the next ensuing fiscal year, and shall set forth in columnar form detailed as to each source of anticipated revenue and the purposes to which the recommended appropriations and permissions to spend shall apply for each spending agency in substantially the following form:

Revenues.

A. Revenues for the General State Fund, State Highway System Fund, all other dedicated funds, Federal aid funds, and trust funds:

Estimate of balances.

(1) An estimate of all balances to be on hand on the first of July next ensuing which are to be available for appropriations, supported by the calculations used in arriving at the estimated figures;

Estimate of anticipated revenues.

(2) An estimate of the anticipated revenues from all sources applicable to the budget period, together with the actual amount earned from each source during the last completed fiscal year, and the estimate of revenues expected to be earned from each source for the current fiscal year.

Mandatory dedications.

B. Mandatory dedications:

Debt service.

(1) Debt service:

The amount reserved for the payment of interest and principal of any State bonds heretofore or hereafter issued

dedicated and payable from State revenue.

The amount reserved for payments to the State Highway Sinking Fund as provided by chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and chapter one hundred eighty-one of the laws of one thousand nine hundred and twenty-seven.

(2) State aid projects as follows:

(a) $6,000,000.00 for the construction, reconstruction, maintenance and repair, operation, policing and lighting of county roads and bridges; for the payment of principal and interest of obligations heretofore incurred for any of such purposes, and for the extension of the county highway system under the following formula:

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

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

Percentage of each county in area as against total area in the State;

(b) $2,100,000.00 to be expended pursuant to the provisions of chapter fifteen of Title 27 "Highways" of the Revised Statutes.

(c) $735,000.00 to be expended pursuant to the provisions of section 27:14–1 of the Revised Statutes.

(d) $210,000.00 to be expended pursuant to sections 27:15–10 to 27:15–13, inclusive, of the Revised Statutes.

(3) Inland Waterways:
$90,000.00 to the Board of Commerce and Navigation for the construction, reconstruction and maintenance and improvement of the inland waterways as provided by section 54:39–74 of the Revised Statutes.

C. Appropriations. The total of the appropriations recommended for the ensuing fiscal year in substantially the following form: Appropriations.

Detailed Budget: Detailed budget.

(1) An itemized statement of all appropriation requests and requests for permission to spend from the General State Fund, State Highway System Fund, other dedicated funds and Federal aid and trust funds;
(2) An itemized statement of the amounts recommended by the Governor with respect to item "1" above;
(3) An itemized statement of all amounts appropriated and permissions granted for the current fiscal year with respect to item "1" above;
(4) An itemized statement of all amounts appropriated and permissions granted for the last preceding fiscal year with respect to item "1" above detailed as to annual and supplemental appropriations, transfers of appropriations, State Emergency Fund allotments, and permission to spend, as the case may be, and showing also total expenditures, reserves, lapses and unencumbered balances;
(5) In addition, such other statistical information as may more fully show comparisons and costs of the several departments.

C. 52:27B-21. New or additional sources of revenue.

12. The Governor may recommend in connection with his budget message and under separate head new or additional sources of revenue, and set forth in connection therewith his recommendations as to the purpose or purposes to which such proposed new or additional revenue may be appropriated. The total of the recommendations in the budget shall not be in excess of the estimate of all funds available for disbursement during the fiscal year to which such recommendations are applicable.

C. 52:27B-22. Applications for supplemental appropriations.

13. All applications for supplemental appropriations not included in the budget message shall be made, in the first instance, to the commissioner in substantially the same form as is required for regular requests, setting forth how much of the amount requested will be expended in each quarter of the fiscal year. The commissioner shall certify and transmit forthwith such application to the Governor, together with his findings, comments and recommendations thereon. The Governor shall transmit to the chairman of the joint appropriations committee such applications as he shall approve in whole or in part with his recommendations thereon, but the Governor shall not approve and recommend any appropriation in excess of the total anticipated funds available for disbursement during the fiscal year to which such recommendations are applicable.

C. 52:27B-23. Budget message printed.

14. The commissioner shall cause copies of the budget message to be printed forthwith and a copy thereof shall be presented to each member of the Legislature, public libraries in the State and each newspaper in the State, and shall be available for distribution to any citizen on request.

C. 52:27B-24. Authority to revise and amend.

15. The commissioner shall have authority, after consultation with the various spending agencies concerned, to revise and amend quarterly allotment requests to the end that each such request, as revised and amended by the commissioner, shall not exceed the amount appropriated for the spending agency.

C. 52:27B-25. Commissioner to submit allotment.

16. Not later than the first day of June following the passage of an annual appropriation act, the commissioner shall submit to each spending agency his allotment by quarters of such appropriation. In the case of a supplemental appropriation, the commissioner shall submit his allotment by quarters within two weeks after passage of such appropriation.

C. 52:27B-26. Reserve.

17. In order to protect against and meet emergencies that may arise during each fiscal year, the commissioner shall have the power to set aside a reserve out of each appropriation, the exact amount of which shall be determined by him. Any time during the fiscal year that occasion may require this reserve or any portion of it may be returned to the appropriation to which it belongs, providing the commissioner finds such action necessary.

Whenever it appears to the satisfaction of the Governor that revenues have fallen seriously below those anticipated, the commissioner, on order of the Governor, shall have the power to revise the quarterly allotments.

C. 52:27B-27. Commissioner may revise work program.

18. A request officer, whenever he deems it necessary by reason of changed conditions or for some other cogent reason, may request the commissioner to revise the work program of quarterly allotments. The commissioner shall examine such request for revision, shall promptly make a determination thereon, and shall advise such request officer as to his determination with respect thereto; and, if the request is granted, the necessary amendment to the quarterly allotments shall be made by the commissioner.

C. 52:27B-28. Transfer.

19. In order to afford reasonable flexibility, any spending agency receiving an appropriation may make written application to the commissioner for leave to transfer a part of any item granted or allowed to such spending agency to any other item in such appropriation, and such application shall indicate the quarter or quarters affected as to both items. Such application shall be made only during

the current year for which the appropriation was granted. No transfer shall be authorized or made after the close of any fiscal year. The commissioner shall have authority to make such transfers of appropriation.

C. 52:27B-29. Allotments from State emergency fund.

20. All allotments from the State Emergency Fund to an appropriation shall be authorized and allowed by the commissioner, with the approval of the Governor, but no such allotment shall be authorized until the commissioner shall have been served with a copy of the application therefor, and shall have had two days after his receipt of said application within which to submit his written recommendation thereon, together with his reasons therefor, to the Governor. All allotments thus made to an appropriation from the emergency fund shall indicate which quarterly allotment or allotments shall be increased.

Warrant checks.

The warrant checks for payment of all expenditures to be made from appropriations shall be drawn on the basis of the quarterly allotments.

C. 52:27B-30. Study of departments.

21. In order effectually to discharge and execute his duties in relation to the quarterly allotment system, the commissioner, or a member of the department designated by him, shall make continuous studies of all departmental requirements including personnel. All requests for additional personnel made by request officers to the civil service agency in the State Government shall first be approved by the commissioner.

C. 52:27B-31. Governor may prohibit expenditure.

22. Whenever, in the case of extravagance, waste or mismanagement, it appears to the satisfaction of the Governor that any appropriation by a spending agency is not in the best interest of the State, he may prohibit and enjoin such expenditure or any future expenditure under the appropriation and prescribe the terms upon which the same may be made, if at all, by making and signing an order to that effect and serving it on the request officer of such spending agency, and also serving a certified copy of the order upon the commissioner and upon the director of purchase and property, where-

upon the order shall immediately become operative. Upon such service future expenditures under the appropriation shall be limited according to the terms of the executive order. The Governor, in such cases, may make other and further orders as may be necessary or advisable in his discretion which orders shall become operative upon such service.

C. 52:27B-32. Not to apply to Legislature.

23. Nothing in this act concerning the work program of quarterly allotments shall apply to the Legislature.

C. 52:27B-33. Bureau of accounting.

24. There is hereby established in the Division of Budget and Accounting the Bureau of Accounting. The commissioner, through the Bureau of Accounting, shall prescribe the procedures for the collection of revenues; institute and direct prosecution against delinquent officers of the revenue and for just claims and accounts against the State; provide and maintain a uniform system of accounting for the State, its departments, institutions, courts and other State agencies. The commissioner, through the Bureau of Accounting, shall follow the provisions and procedure set forth in section twenty-five through thirty-eight, inclusive, of this article.

C. 52:27B-34. Revenue deposited.

25. All State revenue collected by any department, institution, commission, board, committee or official of this State shall, except as otherwise provided by law, be deposited, in the method prescribed by the commissioner, to the credit of the State of New Jersey in such depositories as the State Treasurer shall designate. A report of such moneys collected shall be submitted to the commissioner and the State Treasurer in such form as the commissioner shall prescribe. Such report shall be submitted not later than the tenth day of the month following that during which such moneys were received. The commissioner, upon receiving such report, shall audit and register all amounts contained therein and make proper accounting thereof.

C. 52:27B-35. Commissioner to prescribe uniform forms.

26. The commissioner shall have authority to prescribe uniform forms to be used by all departments or other agencies of the State Government in encumbering any funds appropriated.

The commissioner shall prepare the forms upon which shall be rendered all statements of indebtedness against any department, institution, commission, committee, official, board, or body of State Government.

The forms, in this section provided, shall, when so prepared, be the only forms used for the evidence and record of such encumbrances and indebtedness.

C. 52:27B-36. Powers and duties transferred.

27. The powers and duties heretofore vested by P. L. 1940, c. 35, in the State Comptroller are hereby transferred to the Division of Budget and Accounting and to the commissioner, as the head thereof, to be exercised through the Bureau of Accounting.

C. 52:27B-37. Departments to designate officers.

28. Each department, commission, committee, official, board or body of any institution or organization of the State shall designate the proper officer who shall approve and sign all encumbrance requests and statements of indebtedness. The designation shall be filed in the office of the commissioner; and the requests and statements of indebtedness shall be presented to the commissioner.

May administer oath.

The commissioner shall examine, audit and adjust all encumbrances and statements of indebtedness so presented. He may administer an oath to the persons presenting the encumbrance or statement of indebtedness and to any witness presented on behalf of such person and may examine such person or witness as to the truth, fairness and correctness of such encumbrance or statement of indebtedness.

Commissioner to execute checks.

The commissioner shall execute and register warrant checks in settlement of statements of indebtedness, approved by him, and shall transmit them forthwith to the State Treasurer who shall thereupon sign and deliver the same to the payees.

C. 52:27B-38. Transfer of State funds.

29. Checks or drafts used only for the transfer of State funds from one depository to another, drawn to the order of the State of New Jersey and restrictively endorsed by the treasurer in the following manner: "Transfer of State Funds—For Deposit Only," need not be signed by the commissioner.

C. 52:27B-39. Presentation of claims.

30. Wherever a provision of law relating to the presentation of claims or bills for approval, the drawing of warrants, the countersigning of receipts and checks, the administration of petty cash funds, the apportionment of taxes on railroad and canal property, applies to the Comptroller, such provision of law shall when this act takes effect apply instead to the commissioner.

C. 52:27B-40. Commissioner to enforce.

31. The commissioner shall have authority to prescribe and enforce, to every extent practicable, a centralized payroll system. For the purposes of the preaudit of all payrolls, the commissioner shall have authority to require of the civil service agency in the State Government notice of payroll changes in the form prescribed by the commissioner, which form the commissioner is hereby authorized to prescribe.

C. 52:27B-41. Secretary of State to notify banks.

32. The Secretary of State shall, when the offices of State Treasurer and commissioner or either of them shall become vacant or the officers or either of them shall no longer be authorized to act as such, respectively, give written notice forthwith to all national banks located in this State and institutions authorized by the State to carry on a banking business of such vacancy or termination of power. No bank shall thereafter pay any check or draft of the State Treasurer, signed or countersigned by any person after his office shall become vacant or after he shall no longer be authorized to act.

C. 52:27B-42. Commissioner to institute suit for recovery.

33. The commissioner shall, except as otherwise provided by law, cause suit to be instituted in any competent court of this or any other State for the recovery of any money due the State or any of its institutions, departments, commissions or officers.

The suit shall be in the name of the "State of New Jersey" as plaintiff.

C. 52:27B-43. Keep within division books of accounts.

34. The commissioner shall keep and maintain, at all times, within the division all such books of accounts and other accounting records leading to and including the general ledger as may be necessary for the centralized control of all accounts.

C. 52:27B-44. Install set of double-entry accounts.

35. The commissioner shall install, keep and maintain in the division a complete set of double-entry accounts, which shall reflect directly or through proper controlling accounts, on an accrual basis, all assets, liabilities, revenues, and expenditures of the State, and all of its accounting agencies. Such accounts shall reflect all accounts receivable and payable, all balances of all funds, and such other information as is required for a proper statement of the financial conditions and operations of the State.

C. 52:27B-45. Commissioner shall prescribe form.

36. The commissioner shall prescribe and enforce the form, manner and content of accounts to be kept by each accounting agency, and the form, manner and content of accounting reports and statements to be rendered to him with respect thereto. The commissioner, if he deems such action necessary, may install a system of accounts in an accounting agency of the State Government. He shall provide for reports and statements to be submitted to him at least once each month which shall show the complete operation of each accounting agency and such other information as may be necessary in his judgment. This requirement shall not be in limitation of such other reports and statements, at longer or shorter intervals, containing the same or other information, as may be necessary in the judgment of the commissioner.

C. 52:27B-46. Commissioner shall prepare statement.

37. The commissioner shall prepare, within thirty days after the end of each month, a complete statement showing:

a. Balance sheet of all assets and liabilities for all State funds;

b. Statement of accrued revenues as compared with anticipated revenues. Statement of accrued revenues.

c. Summary statement showing the condition of the appropriations, which shall reflect the original appropriation, supplemental appropriations, transfers to and from, allotments from the emergency fund and expenditures made against such appropriations. Summary statement.

d. Such other information as he may deem necessary and proper.

Such statement, certified by the commissioner, shall be transmitted forthwith to the Governor, and shall be and remain a public document on file in the office of the commissioner, subject to inspection by any citizen of the State, who shall have the right to make or obtain copies thereof under such reasonable regulations as the commissioner may prescribe. Copies of said statements shall be transmitted at the same time to the President of the Senate, the Speaker of the House of Assembly, the chairman of the respective appropriation committees, the State Treasurer and the State Auditor. Statement transmitted to Governor. Copies transmitted.

38. If the commissioner should find that any officer or head of a department of the State Government willfully or negligently fails or refuses to keep or have kept such accounts, render such reports or perform such other duties as may be prescribed by the commissioner under this article, or refuses to conform to any of the provisions of this article, he shall notify such officer or head of a department in writing of such failure or refusal, and the particulars thereof, and shall allow him reasonable opportunity to be heard thereon. If such failure is not explained to the satisfaction of the commissioner, he shall prepare written charges against such officer or head of a department, and submit the same to the Governor forthwith, and serve a copy thereof upon such officer or head of a department charged with such failure or refusal. Thereupon the Governor shall fix a time and place for hearing such charges by giving not less than C. 52:27B-47. Prepare written charges.

five days' notice thereof in writing to such officer or head of a department so charged and to the commissioner. After due hearing, the Governor may take such action as may be necessary, in his judgment, including the removal of such officer or head of a department found guilty of such charges, but if the right of removal in any case is vested exclusively in the Legislature, the Governor shall transmit to the Legislature a written report of his findings with his recommendations thereon for consideration and action by the Legislature.

ARTICLE 4

DIVISION OF TAXATION

C. 52:27B-48. Powers and duties transferred.

1. The powers and duties heretofore vested by law in the State Tax Department and in the State Tax Commissioner are hereby transferred to the Division of Taxation, and the director thereof, respectively, in the State Department of Taxation and Finance.

C. 52:27B-49. Director.

2. The Division of Taxation shall be headed by a director who shall be appointed by the Governor by and with the advice and consent of the Senate, to serve until the next Governor shall be elected and qualified and until the director's successor shall be appointed and qualified. The Governor, however, shall have power to remove the director for cause.

C. 52:27B-50. Salary.

3. The director shall receive an annual compensation, fixed by the commissioner, of not exceeding ten thousand dollars ($10,000.00).

C. 52:27B-51. Duties.

4. Unless otherwise provided by law, the director of the Division of Taxation shall perform all the acts formerly required by law to be performed by the State Tax Commissioner.

Continue bureaus.

The director shall have authority, subject to the approval of the commissioner, to continue, within the division, the various bureaus of the State Tax Department as they exist on the date this act takes effect; or, subject to the commissioner's approval,

to reorganize those bureaus as he may deem desirable.

ARTICLE 5

DIVISION OF TAX APPEALS

C. 52:27B-52. State board of tax appeals transferred.

1. The State Board of Tax Appeals shall continue in all respects as provided by law prior to the time this act shall take effect, but the board is hereby transferred to and constituted the Division of Tax Appeals in the State Department of Taxation and Finance.

ARTICLE 6

DIVISION OF PURCHASE AND PROPERTY

C. 52:27B-53. Director.

1. The Division of Purchase and Property shall be headed by a director who shall be appointed by the Governor by and with the advice and consent of the Senate, to serve until the next Governor shall be elected and qualified and until the director's successor shall be appointed and qualified. The Governor, however, shall have power to remove the director for cause.

C. 52:27B-54. Salary.

2. The director shall receive an annual compensation, fixed by the commissioner, of not exceeding ten thousand dollars ($10,000.00).

C. 52:27B-55. Powers and duties transferred.

3. The powers and duties heretofore vested by law in the State Purchasing Department, and the State Purchase Commissioner, are hereby transferred to the Division of Purchase and Property and to the director, respectively, as the head of that division of the State Department of Taxation and Finance.

C. 52:27B-56. Director to organize division.

4. The director is hereby vested with the powers, duties, and responsibilities involved in the efficient operation of a centralized State purchasing service, and with the custody, operation and maintenance of all State property not chargeable to a particular department. He shall have authority, subject to the commissioner's approval, to organize the division for the effective performance of its functions and purposes herein set forth.

C. 52:27B-57. Make annual report.

5. The director shall make an annual detailed report to the commissioner of his operations under this act and render such other reports as the commissioner shall, from time to time, request.

C. 52:27B-58. Develop standard specifications.

6. The director shall, in consultation with heads of departments, develop standard specifications for all commodities commonly purchased, and shall establish and maintain a system of inventories of properties, supplies and equipment of all State departments and agencies.

The director shall:

a. Determine and establish and from time to time change standards and specifications according to the needs of all using agencies so far as their needs are in common, and for groups of using agencies or for single using agencies so far as their needs differ;
b. Fix physical or chemical formulæ and otherwise determine the service, quality, fitness and suitability of all articles tendered or furnished;
c. Make use for such purposes of the existing laboratories maintained by the State;
d. Establish a list of other public or private laboratories whose tests and analysis will be accepted; and
e. Fix the fees required to be paid for tests or analysis made in any State laboratory.

The fees required by any State or other laboratory for any analysis or test made for any prospective vendor, prior to the award of a contract, shall be paid by such prospective vendor. Inspection analysis or tests shall be at the expense of the State.

C. 52:27B-59. Standards adhered to.

7. In the purchase of all articles, the standards and specifications determined and established pursuant to section six shall be adhered to and complied with, and no deviation shall be permitted without the written consent of the commissioner first obtained.

C. 52:27B-60. May reject any article.

8. Any using agency may reject any article delivered or tendered which fails to comply with the standards and specifications applicable to such article.

C. 52:27B-61. Present detailed applications.

9. Each using agency shall, at all times, in the form and for the periods prescribed by the director, present to him detailed applications and schedules for all articles to be purchased. The director shall then arrange such schedules or parts thereof for purchase and contract, in the manner best calculated to attract competition and advantageous prices. He shall award contracts or orders for purchase to the lowest responsible bidder meeting all specifications and conditions. He shall have authority to reject any or all bids or to award in whole or in part if deemed to the best interest of the State to do so. In case of tie bids, he shall have authority to award orders or contracts to the vendor or vendors best meeting all specifications and conditions. Public bids shall not be waived except with the written approval of the commissioner and except after notice in writing to the State Auditor. The director shall prescribe the terms and conditions for delivery, inspection, payment and all other detail whatsoever.

Award contracts.

Upon the award of contracts or orders for purchase, the director shall thereupon make an encumbrance request to the commissioner for the amount necessary to defray the cost thereof, indicating the appropriations or authorizations to spend funds against which the contract or purchase order will be charged.

Encumbrance request for amount.

The bills for such purchases shall be apportioned by the director among the using agencies in proportion to the purchases made therefor, and certified as apportioned to the commissioner, to be charged against the respective appropriations or authorizations to spend as indicated by the certificate of the director. The bills therefor shall be paid by warrant check of the commissioner and State Treasurer.

Nothing in this article shall be construed to repeal or otherwise affect any law of this State relating to the purchase or use of the products of the labor of the inmates of a charitable, reformatory or penal institution of this State.

C. 52:27B-62. Maintain insurance against loss by fire.

10. The director shall, subject to the approval of the commissioner, effect and maintain insurance against loss or damage by fire upon the State House and the contents thereof in such sum as may be deemed necessary. The director is hereby authorized, and it shall be his duty, after consultation with the heads of State departments and agencies, to purchase and secure all necessary casualty insurance, marine insurance, fire insurance, fidelity bonds, and any other insurance necessary for the safeguarding of the interest of the State. He is hereby authorized, subject to the commissioner's supervision and approval, to establish, in the Division of Purchase and Property, a bureau to administer a centralized system of insurance for all departments and agencies of the State Government.

C. 52:27B-63. Insurance contracts to continue.

11. All contracts and purchase orders heretofore awarded by the State Purchase Commissioner and all operative State insurance contracts, which are outstanding and uncompleted when this act takes effect, shall continue and be completed under the terms thereof by the director of the Division of Purchase and Property.

C. 52:27B-64. Powers vested in State house commission transferred.

12. The powers and duties vested in the State House Commission by sections 52:20–7, 52:20–13, 52:20–14, 52:20–20 and 52:20-25 of the Revised Statutes are hereby transferred to the Division of Purchase and Property and to the director thereof.

Arrange office space assigned.

The director, with the commissioner's approval, shall to every practicable extent arrange, and from time to time rearrange, the office space assigned to the various departments and other agencies of the State Government in a manner to provide for the most efficient conduct of the business of such departments and agencies.

C. 52:27B-65. Right-of-way.

13. Whenever land is acquired by the State pursuant to any law and the owner of any portion of the land adjacent thereto has not a prescribed right-of-way from his lands and over the land so acquired by the State to any public highway, the owner of the lands and the State Treasurer and the commissioner, representing the State, may agree upon a right-of-way, which agreement shall be reduced to writing and signed by the parties thereto and filed and recorded in the office of the county clerk as deeds and mortgages are filed and recorded.

C. 52:27B-66. Director may sell personal property.

14. The director may, with the approval of the commissioner, sell any personal property in the possession of the State which is perishable in character and from which no revenue is derived, at public sale, after the same shall have been advertised at least ten days in a newspaper published in the city of Trenton and all persons claiming any lien or interest in such property shall take notice of the same at their peril. If any person shall thereafter establish a claim to any interest in the goods so sold according to law, the fund received from such sale shall be liable for the space of one year from the date of the sale for such interest or claim. All claims and interest in such property, other than that provided in this section, shall be forever barred. The sum realized from the sale shall, after the expiration of the period of one year, be covered into the State treasury.

C. 52:27B-67. Personal property deemed surplus.

15. Whenever, in the opinion of the director, any personal property in the custody and control of any State department, institution, commission, board, body, or other agency of the State is deemed surplus, obsolete or not longer suitable for the purpose for which it was intended, he may make a transfer of the custody and control of such personal property to any other State department, institution, commission, board, body, or other agency of the State by which the property so reported may be advantageously used.

Whenever such property so reported cannot be used by any State department, institution, commission, board, body or other agency of the State, the director may, with the commissioner's approval and after notification in writing to the State Auditor, dispose thereof, and thereupon the director shall pay the proceeds arising from such disposition into the general fund of the State.

C. 52:27B-68. Director to provide rules and regulations.

16. The director shall provide by rule and regulation, subject to the commissioner's approval, for the use and disposal of property which, pursuant to any law of this State, has been seized and forfeited and which has been turned over to the director. Whenever such seized and forfeited property has been turned over to the director, he may, by order, retain the property for the benefit of State institutions and other boards, commissions, agencies and instrumentalities of the State Government; but if, in the opinion of the commissioner, the property can to the greater advantage of the State be sold, the director may cause the same to be sold at public auction at a time and place to be designated by the director, notice of which sale shall be given at least three days before the sale, by publication at least once in a newspaper published in the city of Trenton. The proceeds of any such sale shall be turned over to the treasurer of the State for the use of the State.

Article 7

Division of Local Government

C. 52:27B-69. Division of local government.

1. The State Department of Local Government as heretofore constituted and provided for by law shall be the Division of Local Government in the State Department of Taxation and Finance except that the term of office of the present members of the Local Government Body shall expire on the effective date of this act and the board shall consist thereafter of the director as chairman, and three members appointed by the Governor by and

with the advice and consent of the Senate. The first members appointed to take office hereunder shall be appointed to hold office one for three years, one for four years, and one for five years, and thereafter all appointments shall be for five years. In case of a vacancy the appointment shall be for the remainder of the unexpired term.

C. 52:27B-70. Director appointed by Governor.

2. The administrative head of the Division of Local Government shall be the director who shall be appointed by the Governor by and with the advice and consent of the Senate, to serve until the next Governor shall be elected and qualified and until the director's successor shall be appointed and qualified, but the Governor shall have the power to remove the director for cause.

C. 52:27B-71. Salary.

3. The director shall receive an annual compensation, fixed by the commissioner, of not exceeding ten thousand dollars ($10,000.00).

C. 52:27B-72. Compensation of members.

4. The compensation of each member of the Local Government Board shall be the sum of forty dollars ($40.00) a day for each day he shall perform the duties of his office, but no member shall be paid more than four thousand dollars ($4,000.00) for any one year.

C. 52:27B-73. Powers and duties.

5. The powers and duties of the Local Government Board shall be the same as heretofore, and the powers and duties of the director shall be the same as those heretofore vested in the Commissioner of Local Government, except that the board and the director shall be under the general supervisory authority of the Commissioner of Taxation and Finance.

C. 52:27B-74. Make annual report.

6. The director and the board shall make an annual report to the commissioner of the work of the division and the financial condition of counties and municipalities. The report shall include such recommended changes and legislation pertaining to local government as may seem proper and desirable. The director shall also publish annually a report of comparative financial statistics of local government tabulated to show the costs of govern-

ment, the costs of principal services, the amount of debt and other pertinent data.

Annual report published.

The annual report and the report of local financial statistics shall be published for general distribution. The director may make a reasonable charge for copies of the annual reports to cover costs of printing.

The director shall make such special reports as the commissioner may request.

ARTICLE 8

GENERAL AND TRANSFER PROVISIONS

C. 52:27B-75. Appoint clerical and other assistants.

1. The director of each division in the Department of Taxation and Finance shall have authority to appoint such clerical and other assistants as he may deem necessary to the division's work and to fix their duties, all of whom shall be subject to the provisions of Title 11, Civil Service.

C. 52:27B-76. Power exercised by commissioner.

2. Any power which may be vested in a director of any division in the Department of Taxation and Finance may be exercised by the commissioner. To the extent that the commissioner exercises such power the power of the director shall be superseded.

C. 52:27B-77. Oath.

3. Before entering upon his duties, the commissioner and each division director shall make and subscribe an oath, to be filed in the office of the Secretary of State, that he will faithfully, impartially and without fear, favor or prejudice discharge the duties of his office and carefully preserve all records, papers, writings, or property intrusted to him by virtue of his office, and make such disposition of them as may be required by law.

Bond.

The commissioner and each division director shall give bond conditioned upon the faithful performance of his duties. Each bond shall be approved by the Governor and shall be in an amount, fixed by the Governor, not exceeding fifty thousand ($50,000.00). The Governor shall have authority to require any other employee of the department

to give bond conditioned upon the faithful performance of his duties, which bond shall be approved by the Governor and the amount thereof fixed by him. The premiums on bonds provided for herein shall be paid by the State.

C. 52:27B-78. Reports and certifications.

4. Unless specifically provided otherwise in this act or by any operative law, whenever, pursuant to existing law, reports and certifications are required to be made to a department, board or officer whose powers and duties are herein transferred, such reports and certifications shall hereafter be required to be filed with the director of the appropriate division, in the Department of Taxation and Finance, through whom such transferred powers and duties are to be exercised pursuant to this act.

C. 52:27B-79. All employees transferred.

5. All persons employed, when this act takes effect, in a department or other agency which is transferred, or whose powers, duties and functions are transferred, to the Department of Taxation and Finance by this act are hereby transferred to the Department of Taxation and Finance. Persons so transferred shall be assigned to such duties as the commissioner shall determine.

C. 52:27B-80. Not to deprive persons of pension rights.

6. Nothing in this act shall be construed to deprive any persons of any rights or protection provided them by Title 11 of the Revised Statutes or by any pension law or retirement system or any other law.

C. 52:27B-81. Property transferred.

7. All files, books, papers, records, equipment and other property of departments or other agencies which are transferred to the Department of Taxation and Finance by this act shall, to the extent that the powers and duties of such departments or other agencies are herein transferred, be transferred to the Department of Taxation and Finance upon the effective date of this act.

C. 52:27B-82. Transfer of appropriations.

8. To the extent necessary to carry out the intent and provisions of this act, the commissioner, with the approval of the Governor, may make transfers of appropriations, in whole or in part, made to any department, board, officer or other agency affected by the provisions of this act.

C. 52:27B-83. Salary reduced.

9. In the event that a person appointed and serving as commissioner or as a director shall hold another State office or position, his salary as commissioner or director shall be reduced by the amount paid to him as the holder of such other office or position.

C. 52:27B-84. Sections repealed.

10. The following sections of the Revised Statutes, as amended, are repealed: 52:18–22, 52:18–23; 52:19–16 to 52:19–36, inclusive; 52:20–3, 52:20–8, 52:20–9, 52:20–10, 52:20–11, 52:20–12, 52:20–16; 52:22–1 to 52:22–22, inclusive; 52:23–1 to 52:23–16, inclusive; 52:25–7, 52:25–8, 52:25–9, 52:25–10, 52:25–15, 52:25–17, 52:25–18, 52:25–19, 52:25–20, 52:25–21, 52:25–22, 52:25–24; 52:31–1, 52:31–7, 52:31–9, 52:31–10, 52:31–11; 54:1–3, 54:1–4, 54:1–5.

Sections repealed.

Sections eight and twelve of an act entitled "An act creating a State department of local government, prescribing its powers and duties, and transferring to it certain powers and duties vested in the State Auditor," approved May ninth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 158), are repealed.

C. 52:27B-85. Effective.

11. This act shall take effect July first, one thousand nine hundred and forty-four. Any appointment and any confirmation of any appointment permitted by this act may be made after the enactment thereof.

Approved April 13, 1944.

CHAPTER 113

AN ACT concerning the Teachers' Pension and Annuity Fund, and amending sections 18:13–94 and 18:13–95 of the Revised Statutes.

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

1. Section 18:13–94 of the Revised Statutes is amended to read as follows: Section amended.

18:13–94. When a teacher is employed by a school district, the custodian of school moneys, and in other cases his employer, shall: Custodian of school moneys.

a. Notify the board of trustees of such appointment within ten days thereafter; Notify board.

b. Deduct the proportion of salary as certified by the board of trustees from the salary of such teacher as directed in this article; Deduct proportion of salary.

c. Certify in duplicate to the board of trustees on account of each and every pay roll a statement as voucher for the amounts deducted for annuity purposes at the rates certified by the board of trustees; and Certify in duplicate.

d. Transmit or credit to the board of trustees the amount thereof. Credit amount.

Any failure on the part of the custodian of school moneys of any district to comply with the provisions of this section shall constitute a default, and the State Board of Education may withhold school moneys from the district until the default is made good. Default.

2. Section 18:13–95 of the Revised Statutes is amended to read as follows: Section amended.

18:13–95. The board of trustees shall:

a. Deposit in a bank or trust company designated by the State Treasurer the amount of contributions received from each school district and shall furnish the State Treasurer a receipt of Deposit in bank.

the bank or trust company for each amount so deposited;

Credit annuity savings fund.

b. Credit the annuity savings fund with each amount that has been transmitted or credited to them as provided in section 18:13–94 of this Title;

Transmit to State Treasurer.

c. Transmit to the State Treasurer a detailed statement of all amounts so paid in and credited by them to the annuity savings fund; and

Amounts to be credited.

d. Cause each of the amounts so deducted to be credited in the annuity savings fund to an individual account of the member from whose compensation the deduction was made.

3. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 114

AN ACT authorizing banks, trust companies, savings banks and national banks acting as fiduciaries to register and hold in the name of a nominee securities held in fiduciary capacities.

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

C. 3:16-19. Bank or trust company acting as fiduciary.

1. Any bank, trust company or savings bank incorporated under the laws of this State now or hereafter acting as fiduciary and any national bank located in this State now or hereafter acting as fiduciary, may, when acting as sole fiduciary or when acting as cofiduciary with the consent of its cofiduciary or cofiduciaries who is or are hereby authorized to give such consent, cause any certificates for shares of stock, bonds, debentures, notes or other securities, herein denominated "securities," held in fiduciary capacities, to be registered and held in the name of a nominee of the corporate fiduciary without disclosing the fiduciary

capacity in which such securities are held; *provided,* that (1) the records of the fiduciary or fiduciaries and all accounts rendered by it or them shall at all times clearly show the ownership of the securities so registered, (2) such securities shall at all times be kept separate and apart from the assets of such bank, trust company, savings bank or national bank and (3) the nominee shall not have possession of or access to the securities. The corporate fiduciary shall be liable for any loss occasioned by the acts of the nominee with respect to securities so registered. The provisions hereof shall not apply where any will, codicil, trust indenture or other trust instrument or where any order appointing or relating to any fiduciary or fiduciaries prohibits such securities from being registered in the name of a nominee. Proviso.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 115

AN ACT concerning taxation, amending sections 54:4–91 and 54:4–95, and supplementing chapter four of Title 54 of the Revised Statutes.

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

1. Section 54:4–91 of the Revised Statutes is amended to read as follows: Section amended.

54:4–91. On or before March first annually, in all taxing districts, the collector shall file with the treasurer or chief financial officer of the taxing district and with the governing body thereof, a statement of the amount of his receipts during the preceding year, and of the amount of taxes added to the preceding year's assessment, taxes of the Collector file amount of receipts.

preceding year abated or canceled and taxes of the preceding year remaining unpaid at the end of said year. Such statement shall be in such form as may be prescribed by the Commissioner of Local Government.

C. 54:4-91.1. File a list of delinquent taxes.

2. On or before May first annually, in all taxing districts, the collector shall file with the governing body, and in addition thereto he may, from time to time, file with the governing body, a list in duplicate of delinquent taxes which he believes are not collectible by reason of a fictitious, double or other palpably erroneous assessment or in the case of poll taxes, dog taxes or taxes on personal property, by reason of the removal, absence, death or insolvency of the taxpayer. Such list shall set forth the name of the delinquent if it appears on the tax rolls, the amount due from each delinquent, the type of tax assessed, the period for which the tax was levied and if the tax is upon real property, a description of the property assessed, and in each case the reason why the collector believes that such tax is not collectible.

C. 54:4-91.2. Governing body examined list.

3. The governing body, within sixty days after the filing of any such delinquent list, shall examine such list and, on being satisfied that any of the taxes so listed are not collectible. it shall, by resolution, release the collector from the collection thereof and order the same canceled.

C. 54:4-91.3. Effective.

4. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 13, 1944.

CHAPTER 116

AN ACT designating a day to be observed as Mother's Day and a day to be observed as Father's Day.

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

1. For the purpose of paying a special tribute to mothers, the second Sunday of May in each year is designated as a day for the general observance of that purpose and shall be known as Mother's Day. C. 36:1-5. Mother's day.

2. For the purpose of paying a special tribute to fathers, the third Sunday of June in each year is designated as a day for the general observance of that purpose and shall be known as Father's Day. C. 36:1-6. Father's day.

3. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 117

AN ACT concerning deeds heretofore made by married women, and the estates taken and vested thereunder.

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

1. Any deed heretofore made, executed and delivered by a married woman, conveying lands in this State owned by her in fee-simple, which deed the husband of the said married woman has not signed, joined in, or executed, shall as to the grantee or grantees, and all persons claiming under him or them be as valid and effectual in law as if the said husband had signed, joined in and executed Deed executed by married women.

Proviso. the said deed; *provided,* the said husband is now
Proviso. deceased; *and provided further,* the said deed has been of record in the office of the county clerk or register of deeds of the county wherein the said lands are situate for a period of at least fifteen
Proviso. years last past; *and provided further,* that this act shall not affect the title of any person or persons in possession of such lands who do not claim under the said grantee or grantees, his or their heirs or assigns.

2. This act shall take effect immediately.

Approved April 13, 1944.

CHAPTER 118

AN ACT making an appropriation to the Board of Commerce and Navigation for beach protection and the prevention of beach erosion in the borough of Sea Girt under certain circumstances.

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

Appropriation for beach protection. 1. There is hereby appropriated from the State Highway Fund to the Board of Commerce and Navigation and directed to be paid by the State Treasurer the sum of seventy-seven thousand dollars ($77,000.00) for beach protection and the prevention of beach erosion in the borough of Sea Girt, Monmouth county, along the shores of the Atlantic ocean.

Appropriation not available. 2. The specific appropriation herein made for beach protection and the prevention of beach erosion in the borough of Sea Girt shall not be expended until said borough of Sea Girt and county of Monmouth shall have made available therefor to said board a sum equivalent to thirty per centum (30%) of one hundred ten thousand dollars ($110,000.00), the total cost of construction, which sum shall be used in conjunction with the appropriation in this act authorized.

3. All moneys so appropriated by the State of New Jersey and the borough of Sea Girt and county of Monmouth shall be used by the Board of Commerce and Navigation and expended under its direction, for the construction, of a jetty, for the repairing of damage caused by erosion and storm and for the prevention of further erosion of said beach located in said borough as aforesaid. Moneys appropriated used by board of commerce and navigation.

4. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 119

AN ACT concerning war adjustment in the compensation of certain persons holding State office, position or employment whose compensation is paid from State funds or from funds derived from Federal sources, or holding office, position or employment in an educational institution whose compensation is paid in whole or part through the board of regents, or holding Federal office, position or employment who receive supplemental compensation from State funds and concerning additional compensation in lieu of a further salary increase for persons holding office, position or employment under the Delaware River Joint Toll Bridge Commission and making appropriation therefor.

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

1. Unless it be otherwise expressly provided or there is something in the subject or context repugnant to such construction, the following words and phrases, when used in this act, shall have the meaning herein given to them. Words and phrases.

State employee.

"State employee" shall be construed to mean any person holding full-time State office, position or employment whose compensation is paid from State funds or from funds derived from Federal sources.

Base pay.

"Base pay" shall be construed to mean the amount of compensation per year calculated on the compensation paid as of March fifteenth, one thousand nine hundred and forty-four, from State funds to the State employee, plus the amount of compensation per year calculated on the compensation currently paid to such employee for services rendered, by the United States, by other States, by counties, municipalities, school districts of this or other States, and all boards, bodies and agencies thereof, and by all interstate boards, bodies and agencies; *provided,* that when the amount of compensation paid to a State employee is paid wholly from State funds, "base pay" shall not be construed to mean an amount of compensation per year less than the minimum rate for his classification in the particular salary schedule as of March fifteenth, one thousand nine hundred and forty-four; *provided, further,* that in the case of laborers, who are paid on an hourly or per diem basis, "base pay" shall be construed to mean the amount of compensation per year calculated on the compensation currently paid to such laborer from State funds. "Base pay" shall include only the money compensation and shall not include wages in kind or money received in lieu of maintenance.

Proviso.

Proviso.

In case of promotion.

In case of promotion of any State employee after March fifteenth, one thousand nine hundred and forty-four, computation of "base pay" shall be made upon, and "minimum rate for his classification" shall be construed to mean the minimum rate for the classification of his new office, position or employment in the particular salary schedule as of March fifteenth, one thousand nine hundred and forty-four.

War adjustment payments.

2. War adjustment payments shall be paid to State employees whose compensation is paid from

State funds and whose base pay does not exceed five thousand two hundred dollars ($5,200.00) per annum, which war adjustment payments shall begin on July first, one thousand nine hundred and forty-four and shall continue for the period ending June thirtieth, one thousand nine hundred and forty-five. Said war adjustment payments shall be at the rate of one hundred thirty-two dollars ($132.00) per annum. If any State employee whose base pay does not exceed five thousand two hundred dollars ($5,200.00) per annum shall, during any payroll period in the fiscal year 1944-1945, receive a total compensation which, if received on March fifteenth, one thousand nine hundred and forty-four, would have made his base pay exceed five thousand two hundred dollars ($5,200.00) per annum, the rate of compensation per payroll period in excess of the rate of five thousand two hundred dollars ($5,200.00) shall be deducted from the rate of war adjustment to be paid in any such payroll period to such State employee.

Any person entitled to war adjustments.

3. Any person who would have been entitled to the war adjustment provided by this act if he were not on March fifteenth, one thousand nine hundred and forty-four, on leave of absence granted because of entry into any branch of the military or naval forces of this State or of the United States or any organization authorized by the United States to serve with the Army or Navy, and who, during any payroll period in the fiscal year 1944-1945, is again in the active service as a State employee, shall receive for such payroll period the same war adjustment payment as he would have received if he had been in active service as a State employee on March fifteenth, one thousand nine hundred and forty-four.

War adjustment in payroll.

4. The war adjustment shall be included in the payroll for each payroll period, but the amount of war adjustment paid under this act shall not be deemed part of the regular compensation of any person receiving such war adjustment payment and such war adjustment payment shall not affect

pension payments or benefits. The right of a person to a war adjustment payment shall be exempt from levy and sale, garnishment, attachment and any other process and shall be unassignable.

State Comptroller shall draw warrant.

5. The State Comptroller shall draw his warrants on the State Treasurer for the payment of such war adjustment and the State Treasurer shall pay such war adjustment in each case from the money in the account chargeable with the payment of the compensation of the State employees, except in the case of accounts in the General State Fund in which case he shall make such payments either from the appropriation made to him for that purpose or from the account itself after transfer to said account of sufficient money to meet such payment.

Appropriation.

6. In addition to all appropriations heretofore and hereafter made to each account not in the General State Fund, there is appropriated from the revenues of the fund, of which it is an account, sufficient moneys to pay any war adjustment payable under this act which is chargeable to said account.

Person holding position in an educational institution.

7. Each person holding office, position or employment in an educational institution whose compensation is paid in whole or part from State funds through the board of regents shall be paid the same war adjustment as if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer and the State Comptroller, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

Delaware river joint toll bridge commission.

8. Each person holding office, position or employment under the Delaware River Joint Toll Bridge Commission shall be paid additional compensation in lieu of a further salary increase equal in amount to the war adjustment he would receive if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treas-

urer and the State Comptroller, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit. The State Treasurer may advance sufficient money to the Delaware River Joint Toll Bridge Commission to pay such additional compensation in lieu of a further salary increase to all persons entitled thereto upon assurance satisfactory to him that one-half of such payment will be repaid to the State of New Jersey.

Paid same war adjustment.

9. Each person holding Federal office, position or employment who receives supplemental compensation from State funds shall be paid the same war adjustment as if he were a State employee and his compensation were paid wholly from State funds; *provided,* that the Federal Government consents to the payment of its proportionate share of such war adjustment from Federal funds or from State funds derived from Federal sources. If the Federal Government gives such consent, the war adjustment shall be paid upon such conditions as may be imposed by the State Treasurer and the State Comptroller, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

Proviso.

Paid same war adjustment.

10. Each person holding State office, position or employment, who receives no compensation from State funds other than that derived from Federal sources, shall be paid the same war adjustment as if he were a State employee and his compensation were paid wholly from State funds and as if his current compensation were the compensation paid as of March fifteenth, one thousand nine hundred and forty-four; *provided,* that the Federal Government consents to the payment of such war adjustment from Federal funds or from State funds derived from Federal sources. If the Federal Government gives such consent, the war adjustment shall be paid upon such conditions as may be imposed by the State Treasurer and the State Comptroller, which conditions shall be as nearly like the

conditions applying to State employees as the circumstances of the case will permit.

Act not to apply.

11. Except as otherwise provided herein, this act shall not apply to any person who received no compensation from State funds other than the compensation received from a board, body or agency whose funds are not budgeted by the State.

Power to change requirements of act.

12. The State Treasurer, the State Comptroller and the president of the Civil Service Commission are empowered to change or dispense with any requirement of this act or to substitute another requirement in its stead when such change, dispensation or substitution appears to them to be necessary in order to accomplish the object of this act, which is to give fair and equitable treatment to all persons affected thereby.

Power to make rules.

13. The State Treasurer, the State Comptroller and the president of the Civil Service Commission shall have power to make such rules and regulations as, in their discretion, are necessary or proper to carry out the purpose of this act.

Person may appeal.

14. Any person aggrieved may appeal to the State House Commission and the decision of the State House Commission upon such appeal shall be final as to the issue involved.

No increase in compensation.

15. From the effective date of this act until July first, one thousand nine hundred and forty-five, no increase in compensation shall be granted to any person holding State office, position or employment whose compensation is paid in whole or part from State funds except in case of promotion or in case the money to pay such increase is provided in an appropriation act or by Federal grant.

Appropriation.

16. The sum of one million two hundred thousand dollars ($1,200,000.00) is appropriated out of the General State Fund to the State Treasurer for the period beginning July first, one thousand nine hundred and forty-four and ending June thirtieth, one thousand nine hundred and forty-five, to pay for adjustments in compensation during said period.

17. The sum of four hundred and ninety thousand dollars ($490,000.00) is appropriated out of the State Highway Fund to the accounts in the State Highway Fund for the fiscal year beginning July first, one thousand nine hundred and forty-four, and ending June thirtieth, one thousand nine hundred and forty-five, to pay for adjustments in compensation during said fiscal year. Appropriation.

18. The State Comptroller, before making an apportionment of the school apportionment fund under section 18:10–33 of the Revised Statutes, shall deduct from the said fund and pay into the General State Fund the amount of all payments made from this appropriation to persons whose compensation is paid from accounts whose appropriations are deducted from the school apportionment fund pursuant to law. Comptroller to deduct from said fund.

19. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 120

AN ACT authorizing and directing the State Treasurer to transfer the sum of two million, six hundred forty-six thousand, five hundred and eighty-three dollars and thirteen cents ($2,646,583.13) from the State Highway Fund to the General State Fund.

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

1. The State Treasurer is authorized and directed to transfer the sum of two million, six hundred forty-six thousand, five hundred and eighty-three dollars and thirteen cents ($2,646,583.13) from the State Highway Fund to the General State Fund. State Treasurer directed to transfer.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 121

AN ACT to promote interstate co-operation for the use, conservation, protection and equitable diversion of the water resources in the Delaware river basin between and among the Commonwealth of Pennsylvania and the States of New York and New Jersey for the purpose of meeting present and prospective needs for domestic and municipal water supply.

PREAMBLE

GENERAL PROVISIONS

Preamble. WHEREAS, The States of New York, New Jersey, Pennsylvania and Delaware have each created and now maintain a Commission or Committee of Interstate Co-operation for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding and co-operation between said States respectively and other States of the Union, both regionally and nationally, with power to establish such committees, subcommittees and advisory boards as are deemed advisable to conduct conferences and to formulate proposals concerning subjects of intergovernmental co-operation in the common cause of reducing the burdens which are imposed upon the citizens of every State by governmental confusion, competition and conflict; and,

Preamble. WHEREAS, Said Commissions or Committees on Interstate Co-operation of said States have organized and established and are now maintaining as an instrument of governmental machinery a joint advisory board known as "The Interstate Commission on the Delaware River Basin" as a

regional commission composed of standing subcommittees of said Commissions or Committees on Interstate Co-operation respectively for the purpose of entering upon a program to study, among other subjects, the water supply and the conservation and protection of the water resources of the Delaware river basin; and,

Preamble.

WHEREAS, The Commissions or Committees on Interstate Co-operation among the said States favor the enactment of uniform laws and the adoption of uniform rules to regulate the use and diversion of the waters of the Delaware river and its tributaries for the purpose of meeting present and prospective needs for domestic and municipal water supply purposes in said States respectively; and,

Preamble.

WHEREAS, The said Commission on the Delaware River Basin, through its Technical Advisory Committee on Quantity of Water, consisting of representatives of the State Water Policy Commission of the State of New Jersey and of similar agencies of Pennsylvania and New York, has made a study for the purposes above recited, of the said Delaware river and its tributaries in said Delaware river basin; and,

Preamble.

WHEREAS, The said Commission on the Delaware River Basin has formulated and approved proposals for interstate co-operation in the use, conservation, protection and equitable diversion of the water resources of the Delaware river basin.

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

C. 58:18-1. Legislative intent.

1. Legislative intent. It is hereby declared to be the intent and purpose of this act to regulate the diversion and use of the waters of the Delaware river and its tributaries for the purpose of meeting present and prospective needs for domestic and municipal water supply, and the provisions of this

act shall apply to the State of New Jersey or any agency thereof, any municipality or civil division of the State, any district or similar agency or authority, persons, partnerships, corporations or associations.

C. 58:18-2. Definitions.

2. Definitions. The following words, phrases or abbreviations, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.

Commission.

"Commission" means the State Water Policy Commission of the State of New Jersey or its duly constituted successor.

Person.

"Person" includes the State of New Jersey or any agency thereof, any municipality or civil division of the State, any district or similar agency or authority, persons, partnerships, corporations or associations.

c.f.s.

"c.f.s." is the abbreviation for cubic feet per second.

c.s.m.

"c.s.m." is the abbreviation for cubic feet per second per square mile of contributing drainage area.

Delaware river.

"Delaware river" means that reach of the Delaware river which extends from the confluence of the west branch and the east branch of the Delaware river, near Hancock, New York, to the point where it passes the boundary line between the States of Delaware and Pennsylvania.

Delaware river basin.

"Delaware river basin" means the total area drained by the Delaware river and its tributaries.

Waters of Delaware river.

"Waters of the Delaware river" or "waters of the Delaware river basin" means the surface waters originating within the Delaware river basin.

Channel.

"Channel" or "channel of the Delaware river" means the bed of the Delaware river and the lands on and over which the waters of said river flow.

Upper basin.

"Upper basin" means that part of the Delaware river basin from which the surface waters flow and enter the channel of the Delaware river at and above its confluence with the Neversink river. The upper basin shall be understood to include the area drained by the Neversink river.

"Lower basin" means that part of the Delaware river basin which is not embraced within the upper basin. Lower basin.

"Tributary" or "tributary of the Delaware river" means any water course the waters of which naturally flow into the channel of the Delaware river. Tributary.

"Complete diversion" means the taking or removal of waters of the Delaware river basin to a point outside of the Delaware river basin. Complete diversion.

"Partial diversion" means the taking or removal of waters from any point in the Delaware river above Trenton falls or from any tributary of the section of the Delaware river above Trenton falls, which water is returned to the channel of the Delaware river under the following conditions: Partial diversion.

A. If taken from a tributary, such water is returned, but not in such a manner as to be available in the channel at the confluence of such tributary and the Delaware river.

B. If taken from the Delaware river, such water is returned, but not above a point twelve miles below the point of taking, as measured along the center line of the channel, provided that if the water is returned within twelve miles of the point of the original taking, said taking shall not be considered a partial diversion.

"Divert" means to affect a complete diversion or a partial diversion. Divert.

"Development" means the construction of any works for the taking of water or the storage of water for diversion. Development.

"Develop" means to make available by development. Develop.

"Point of development" means the place on the Delaware river or upon a tributary at which the lowermost structure, dam, intake or other works, is maintained for the purpose of making water available for diversion. Point of development.

Domestic and municipal water supply.

"Domestic and municipal water supply" means the use of water by or for waterworks serving the public.

Natural flow.

"Natural flow" means the rate of flow of a river, stream or tributary as it would occur if it were not affected materially by artificial works or developments.

Actual flow.

"Actual flow of the Delaware river" means the existing flow of the Delaware river uncorrected for the affects of any developments or works of man, excepting for the effect of any by-passing of the flow of the stream around the point of development.

Control rates.

"Control rates" means certain rates of natural flow of a stream, at the point of development, used in fixing the rate of flow to be maintained below the point. Such rates are correlated with certain rates of natural flow at the stream gaging station co-operatively operated by the United States Geological Survey, at Trenton, New Jersey, and they are to be obtained as follows: From the record of flow of the Delaware river at Trenton gage for the years between October 1, 1928, and September 30, 1941, both inclusive, corrected for diversion around that station and for artificial regulation using for this purpose the corrections reported by the United States Geological Survey, it has been determined that the natural daily flows of the river at that point exceed 4,000 c.f.s. for seventy-six per centum (76%) of the time, exceed 3,400 c.f.s. for eighty-two per centum (82%) of the time and exceed 2,500 c.f.s. for ninety per centum (90%) of the time. From the measured or computed rates of natural flow of the stream under consideration at the proposed point of development and for the years between October 1, 1928, and September 30, 1941, both inclusive, rates of flow are determined which will be exceeded by the natural flow for the same percentages of time, seventy-six per centum (76%), eighty-two per centum (82%), and ninety per centum (90%) as have been determined for Trenton gage as shown. These rates of flow are

termed the 4,000 c.f.s., 3,400 c.f.s. and 2,500 c.f.s. control rates for that point of development. In arriving at the rates of natural flow of the stream as above set forth, measured rates of flow shall be used as far as they may be available. Otherwise the rates shall be derived from the records of the nearest and most suitable gaging stations, using accepted hydrological methods for making the computations.

Mean-annual-yield.

"Mean-annual-yield" means the average daily rate of natural runoff of the stream under consideration at its point of development for the period between October 1, 1928, and September 30, 1941, both inclusive. In determining the mean-annual-yield as above set forth, measured rates of flow shall be used as far as they may be available. Otherwise such yield shall be derived from the records of the nearest, most suitable gaging stations, using accepted hydrological methods for making the computations. In the determination of "mean-annual-yield" as above defined, use of new and additional stream flow records as they may become available is not precluded.

Diversion project.

"Diversion project" means any project for development or use of the waters of the Delaware river for domestic and municipal water supply involving a complete diversion of water from the channel of the Delaware river or a complete diversion of water from a tributary of the Delaware river, or a partial diversion of water from a tributary of the Delaware river, all as set forth in this act.

C. 58:18-3. General provision for diversions.

3. General provision for diversions. It shall be unlawful to divert water from any tributary of the Delaware river within the State, or from the channel of the Delaware river within the State, or from both, for use for domestic and municipal water supply anywhere within or without the Delaware river basin without the previous consent and approval of the State Water Policy Commission. Such consent and approval shall be given only if, in addition to the determinations which the com-

mission is required to make under any other statutory provisions, it shall also determine that such development is such as to promote the greatest economy in the use and conservation of the waters of the Delaware river basin consistent with reasonableness and practicability and such development fully complies with the provisions of this act.

C. 58:18-4. Provisions for complete diversions.

4. Provisions for complete diversions from tributaries of the Delaware river. Complete diversions of water from the tributaries of the Delaware river for domestic and municipal water supply purposes shall be subject to the following:

A. Whenever the natural flow of the tributary under development, at its point of development, exceeds its 4,000 c.f.s. control rate all or any part of such natural flow may be withheld in storage in reservoirs on, or may be withdrawn directly from, such tributary, and be diverted.

B. Whenever the natural flow of the tributary under development, at its point of development, falls below its 4,000 c.f.s. control rate, water may be withdrawn from storage and be diverted, but the flow of the tributary immediately below the point of development shall be maintained as follows:

(1) Whenever the natural flow of the tributary falls below its 2,500 c.f.s. control rate, the rate of flow required to be maintained shall be fifty per centum (50%) of the mean-annual-yield of the stream, if in the upper basin; and forty per centum (40%) of the mean-annual-yield of the stream, if in the lower basin.

(2) Whenever the natural flow of the tributary is between its 2,500 c.f.s. control rate and its 4,000 c.f.s. control rate, the rate of flow required to be maintained shall be twenty-five per centum (25%) of the mean-annual-yield of the stream, if in the upper

basin; and twenty per centum (20%) of the mean-annual-yield of the stream, if in the lower basin.

C. 58:18-5. Provisions for partial diversions.

5. Provisions for partial diversions from tributaries of the Delaware river. Partial diversions of water from tributaries of the Delaware river for domestic and municipal water supply purposes shall be subject to the following:

A. Whenever the natural flow of the tributary under development at its point of development exceeds its 3,400 c.f.s. control rate, all or any part of such natural flow may be withheld in storage reservoirs on, or may be withdrawn from, such tributary, and be diverted.

B. Whenever the natural flow of the tributary under development at its point of development falls below its 3,400 c.f.s. control rate, water may be withdrawn from storage and be diverted, but the flow of the tributary immediately below its point of development shall be maintained at a rate at least equal to said natural flow during the time it is below the 3,400 c.f.s. control rate.

C. 58:18-6. Provisions for complete diversions.

6. Provisions for complete diversions from the channel of the Delaware river. Complete diversions of water from the channel of the Delaware river for domestic and municipal water supply purposes shall be subject to the following provisions:

A. Whenever the actual flow of the Delaware river at the point of development exceeds a rate of 0.59 c.s.m., equivalent to 4,000 c.f.s. at Trenton, if in the upper basin; or exceeds a rate of 0.50 c.s.m., equivalent to 3,400 c.f.s. at Trenton, if in the lower basin; all or any part of such actual flow in excess of the rates hereinabove specified may be withdrawn from the river and be diverted.

B. Whenever the actual flow of the Delaware river at the point of development falls below a rate of 0.59 c.s.m., if in the upper basin, or falls below a rate of 0.50 c.s.m., if in the lower basin; no part of such actual flow may be withdrawn from the river. In addition to this restriction, during the time that the actual flow of the Delaware river is below the rates hereinabove specified, water shall be released from storage and be delivered into the Delaware river in such a manner as to be available immediately below the point of development. The amount of water to be so released shall be determined by the following formula:

$$R = \frac{C}{S}(YK),$$ in which formula

"R" represents the amount of water to be so released, in cubic feet per second.

"C" represents the average daily amount of the proposed diversion in c.f.s.

"S" represents the safe yield which has been determined to be representative of tributary streams located in the various parts of the Delaware river basin before providing for compensating releases. Values of "S" shall be as follows:

In the upper basin.....1.8 c.s.m.
In the lower basin—
In Pennsylvania.....1.6 c.s.m.
In New Jersey.....1.2 c.s.m.

"Y" represents the mean-annual-yield of the stream upon which storage is provided for the purpose of making the prescribed release of water.

"K" represents forty per centum (40%), whenever the aforesaid actual flow of the Delaware river at the point of development is less

than 0.37 c.s.m., and twenty per centum (20%) whenever the aforesaid actual flow is between 0.37 c.s.m. and 0.59 c.s.m. if in the upper basin, or between 0.37 c.s.m. and 0.50 c.s.m. if in the lower basin.

C. 58:18-7. Provisions for partial diversions.

7. **Provisions for partial diversions from the channel of the Delaware river.** The provisions of this act do not apply to partial diversions from the channel of the Delaware river but the commission shall, nevertheless, make determination of the fact that such proposed diversion is a partial diversion as herein defined.

C. 58:18-8. Provisions for complete and partial diversions.

8. Provisions for complete and partial diversions from the tributaries or the channel of the Delaware river. Whenever a project involving both complete and partial diversions from either the tributaries of the Delaware river or the channel of the Delaware river is undertaken, the provisions for complete and partial diversions as herein prescribed shall apply to each kind of diversion and to the respective quantities involved in each of such diversions.

C. 58:18-9. Enforcement of act.

9. Act to be enforced by the State Water Policy Commission. The commission is hereby designated as the agency of the State of New Jersey to administer and enforce compliance with the provisions of this act and the rules and regulations adopted under its authority.

C. 58:18-10. Powers and duties.

10. Powers and duties of the commission in relation to the Delaware river basin. The commission shall have power and authority to:

(1) Adopt such rules and regulations for the efficient administration of this act as it shall find to be necessary.

(2) Study, consider and determine upon a public policy with regard to the conservation and protection of the water resources of the Delaware river basin and the equitable and reasonable diversion of water from the Delaware river and its tributaries.

(3) Request the Interstate Commission on the Delaware River Basin to co-operate and assist the commission in such surveys and investigations of the water resources of the basin as the commission may undertake.

(4) Request the Interstate Commission on the Delaware River Basin to investigate, report on and recommend the equipment necessary adequately to measure all quantities and rates of stream flow necessary for the proper enforcement of this act; to co-operate and assist the commission in the observation of the operation of all developments and to recommend procedures necessary to secure compliance with this act and its purposes; to report and to recommend to the commission whether the quantity of water proposed for diversion and use by a project in New York, New Jersey or Pennsylvania is fair and equitable; to report and to recommend to the commission the manner in which water may be diverted from the channel of the Delaware river and its tributaries and specific rules and regulations based on the principle of equitable apportionment and reasonable diversion in compliance with this act.

(5) Supply information and data on water diversions from the Delaware river or its tributaries to the State of New York and the Commonwealth of Pennsylvania.

(6) Continue, as a commission or by representation, to confer with the Interstate Commission on the Delaware River Basin and representatives of the Commonwealth of Pennsylvania and the State of New York with regard to all of the above matters and the general problem of the regulation and diversion of the waters of the Delaware river basin for water supply and municipal purposes.

C. 58:18-11. Procedure.

11. Procedure for obtaining the approval of the commission. The procedure for obtaining the consent and approval of the commission for any diver-

sion project shall be that set forth in any present or future statute authorizing such diversions by any person, as above defined, and all applicable terms and provisions of all such statutory provisions shall remain in full force and effect in such cases, but in addition thereto before approving an application, the commission must have made the additional determinations specified in section three above. Upon receipt of an application for approval of a diversion project as above defined, or before making decision with regard to such diversion project in a case wherein the commission adopts such project, the commission shall send written notice to the corresponding agency of the State of New York and the Commonwealth of Pennsylvania outlining the proposed diversion project, stating when and where the hearing thereon will be held and requesting such agencies to submit to the commission a statement of their position in regard thereto. At the hearing on such project representatives of the other two States may appear, and present oral or written testimony.

C. 58:18-12. Approval by United States supreme court.

12. Approval by the United States Supreme Court. Whenever, acting under the provisions of this act, the commission, after having duly considered the views of the other States, shall give its final approval to any diversion project, application shall forthwith be made to the Supreme Court of the United States for approval of such project. The decision and approval of the commission shall be of no force or effect unless and until the project has been approved by the Supreme Court of the United States in those cases in which the said court retains or assumes jurisdiction in the matter.

C. 58:18-13. Diversion projects in other states.

13. Diversion projects in other States. Whenever the commission shall receive written notice, similar to that provided for in section eleven above, from either the Commonwealth of Pennsylvania or the State of New York of an application for approval of a diversion project or the proposed adoption of such a project in either or both of these

States, the commission shall study the matter, communicate and confer with the proper authorities of the other States, attend hearings and generally take all proper steps to protect the interests of this State. As promptly as possible and not later than six months after the receipt of such notice the commission shall submit a statement of its findings with regard thereto to the interested State or States. If the commission shall find that the project is fair and equitable to the State of New Jersey and in accordance with the provisions of this act, it shall prepare a statement to that effect and submit it to the Attorney-General and the Governor for approval. On receipt of such approval the agencies of the other two States shall be so advised.

C. 58:18-14. Enforcement.

14. Enforcement. The State of New Jersey shall have the power to bring such actions, suits or proceedings as in its judgment may be necessary or proper to enable the commission to perform any of the duties imposed on it by any of the provisions of this act or to prevent the violation by any person or corporation, public or private, of any of the provisions thereof.

C. 58:18-15. Existing rights preserved.

15. Existing rights preserved. The passage of this act shall in nowise change, affect or impair the diversion of the waters of the Delaware river in or through the Delaware and Raritan canal and feeder as at any time heretofore or the use of such water so diverted for a domestic or industrial water supply or any other purpose; *provided,* that the amount diverted shall not exceed the amount at any time heretofore diverted either in or out of the Delaware basin; and nothing in this act shall affect or impair other existing rights in the Delaware river, if any, of the State of New Jersey or any agency or political subdivision thereof. Any person in this State now legally diverting or having legal authority to divert water for domestic and municipal water supply from the Delaware river or its tributaries may apply to the commission for modification of the restrictions under which such

diversion is made or is to be made in order to make such restrictions conform to the provisions of this act. In acting on such cases the commission shall follow the procedure set forth in this act in so far as it may be made to apply.

C. 58:18-16. Constitutional construction.

16. Constitutional construction and severability. The provisions of this act shall be severable and if any phrase, clause, sentence or provision of this act is declared unconstitutional or the applicability thereof to any person is held invalid, the constitutionality of the remainder of this act and the applicability thereof to other persons and circumstances shall not be affected thereby. It is hereby declared as the legislative intent that the act be construed liberally.

Repeals.

17. Repeals. All acts or parts of acts inconsistent with this act are hereby repealed.

C. 58:18-17. Effective date.

18. Effective date. On approval of the enactment of this act by the Governor, the Secretary of State shall certify copies thereof to the Secretaries of State of Pennsylvania and New York with a request that similar acts enacted by those States be certified to him. On receipt of certified copies of such acts he shall determine whether in his judgment said acts contain substantially the same provisions as to water supply diversion projects to be constructed in the Delaware river basin as those herein contained. Should he so find with regard to enactments by both the Commonwealth of Pennsylvania and the State of New York, he shall so certify to the Governor, the State Water Policy Commission and the Secretaries of State of Pennsylvania and New York. This act shall go into effect immediately but shall remain inoperative until the first day of January next succeeding such certification.

Approved April 14, 1944.

CHAPTER 122

AN ACT canceling certain appropriations made from the State Highway Fund.

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

1. Out of the appropriations made prior to January first, one thousand nine hundred and forty-four, to the State Highway Commissioner, the following amounts are hereby canceled:

1942 Construction Program from Motor Vehicle Funds	$98,894 70
State's Share of Works Progress Administration Projects	2,956 23
1943 Maintenance Program	342,639 51
1943 Electrical Installation and Maintenance Program	145,106 27
1943 Appropriations to Match Federal Aid for Construction	2,000,000 00
Cancellation of Signal Equipment Contract	60,000 00
1943 Bridge Operation Program	27,634 96
1943 Purchase of Plant and Equipment Program	78,224 96
1943 Administration, Engineering, Inspection and Administrative Costs of Acquiring Right-of-Way	144,776 94
Statutory Increase and War Adjustment	30,109 30

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 123

AN ACT authorizing and directing the State Treasurer to transfer the sum of seven hundred and ninety-four thousand four hundred and ninety-four dollars and two cents ($794,494.02), from the General State Fund to the Municipal Aid Fund.

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

State Treasurer directed to transfer.

1. The State Treasurer is authorized and directed to transfer the sum of seven hundred and ninety-four thousand four hundred and ninety-four dollars and two cents ($794,494.02), from the General State Fund to the Municipal Aid Fund.

2. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 14, 1944.

CHAPTER 124

AN ACT authorizing and directing the State Treasurer to transfer the sum of one hundred thousand dollars ($100,000.00) from the Interconnection Revolving Fund of the State Water Policy Commission to the General State Fund.

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

State Treasurer directed to transfer.

1. The State Treasurer is authorized and directed to transfer the sum of one hundred thousand dollars ($100,000.00) from the Interconnection Re-

volving Fund of the State Water Policy Commission to the General State Fund.

2. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 14, 1944.

CHAPTER 125

AN ACT concerning the office or position of county auditor, and supplementing chapter twenty-one of Title 40 of the Revised Statutes.

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

C. 40:21-20.1. County auditor.

1. In any county in which the office or position of county auditor shall be filled hereafter, it shall be filled pursuant to the provisions of section 40:21–20 of the Revised Statutes.

C. 40:21-20.2. Continue in office.

2. The county auditor now in office in any county by virtue of election by the people shall continue in office until the expiration of his term. The said office or position shall thereafter be filled only in accordance with this act.

C. 40:21-20.3. Inconsistent act repealed.

3. All acts or parts of acts whether general, local, special or private, inconsistent herewith, are repealed.

4. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 126

AN ACT to provide for guaranteed bank loans to certain war veterans for the purposes of establishing or re-establishing themselves in small business or a profession, and providing an appropriation therefor.

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

C. 38:23B-1. Purpose of act.

1. The purpose of this act is to make it possible for certain qualified veterans to obtain venture capital, at low rates of interest, which may be necessary to establish themselves in a business or profession.

C. 38:23B-2. Veterans loan authority.

2. There is hereby created in the Department of Economic Development a "veterans loan authority," hereinafter referred to as the "authority," which shall be a body corporate and politic, with corporate succession. The functions, powers and duties of the authority shall be vested in and may be exercised by the commissioner of the Department of Economic Development, hereinafter referred to as the "commissioner."

Powers and duties.

C. 38:23B-3. Power to contract.

3. The authority shall have power to contract, to sue and be sued, to make, amend and rescind such rules and regulations as may be necessary to carry out the provisions of this act; but the authority may not in any manner, directly or indirectly, pledge the credit of the State.

C. 38:23B-4. Capitalization.

4. The authority shall have an original capitalization of five million dollars ($5,000,000.00) which shall be subscribed by the Treasurer of the State of New Jersey, and which is hereby appropriated out of the Post-War Reserve Account of the General State Fund or the balance held as reserve for post-war needs or to meet expenditures of an emergency nature in the State Highway System Fund.

C. 38:23B-5. Capital held in trust.

5. The capital and all revenues of the authority shall be held in trust in a Veterans Guaranteed Loan Fund, hereinafter referred to as the "fund," to meet the obligations of the authority under this chapter; but any amounts in the fund in excess of the total amount of guaranteed loans outstanding at any time shall be subject to such disposition as may be provided by law. Such amounts in the fund as are not needed for its current operations shall be invested and reinvested by the State Treasurer in such obligations as are legal for savings banks of this State.

C. 38:23B-6. May make veterans' loans.

6. Any financial corporation, other than a building and loan association, under the supervision of the Department of Banking and Insurance and any national bank doing business in this State, which are hereinafter referred to as "any bank," may make veterans' loans under this chapter, pursuant to such rules and regulations not inconsistent herewith, and using such forms, as the commissioner may prescribe.

C. 38:23B-7. Veteran.

7. For the purpose of this act, a "veteran" shall mean any bona fide resident of the State who has or shall have served in the active military or naval service of the United States at any time after September sixteenth, one thousand nine hundred and forty, and prior to the termination of the present war, and who shall have been discharged or released therefrom under conditions other than dishonorable after active service of ninety days or more, or has or shall have been discharged or released therefrom after less than ninety days of service for disability incurred in line of duty; except that no person shall be eligible for the benefits of this act by reason of service from which he has or shall have been discharged or released on his own initiative to accept employment unless he had served outside the continental limits of the United States or in Alaska.

C. 38:23B-8. Veteran may apply for loan.

8. A veteran may apply to any bank for a loan under the provisions of this act at any time within one year after the date of his discharge from the

service or within six months after the effective date of this act, whichever is later.

C. 38:23B-9. Application to be approved.

9. Any application made under this act shall be submitted to the commissioner for his approval. The commissioner shall approve the application only if he finds that:

Purpose of loan.

a. The purpose of the loan is to establish or re-establish one or more veterans in a business or profession; and

Training.

b. The applicant has training or experience in the business or profession described in the application; and

Amount.

c. The amount of the loan would not exceed the maximum amount reasonably necessary to start in the business or profession or three thousand dollars ($3,000.00), whichever is less; and

Ability and experience.

d. The ability and experience of the veteran, and the conditions under which he proposes to pursue such business or profession are reasonably favorable for the successful liquidation of the loan; and

Loan is necessary.

e. That the loan is necessary in addition to all Federal benefits that may be available to the veteran to effectuate the purpose of this act.

C. 38:23B-10. Bank may make loan.

10. Upon approval by the commissioner of a veterans' loan application, any bank may make the loan as approved and upon the terms and conditions required under this act.

C. 38:23B-11. Bank shall co-operate.

11. Any bank making a veterans' loan shall cooperate with the commissioner in supervising the use of the credit in accordance with its purposes.

C. 38:23B-12.

12. Loans made under this act shall:

Loan evidenced by note.

a. Be evidenced by a note or other obligation approved by the commissioner.

Interest rate.

b. Bear interest at not exceeding four per centum (4%) per annum upon the unpaid balance.

Payable.

c. Be payable in monthly or quarterly installments of principal and interest, the first of which shall be payable not less than six months after the making of the loan and the last of which shall be payable not exceeding three years from the date of the obligation.

Personal liability.

d. Be secured only by the personal liability of the maker, and not by any endorsers, comakers, collateral or other security; except that where the maker is married endorsement of the spouse may be required, and where the loan is made to finance the purchase of a specific property used in the business or profession a mortgage on such property may be required.

C. 38:23B-13. Cost.

13. The entire cost to the borrower of making any loan, regardless of amount, shall be included in a single charge of ten dollars ($10.00) for all costs, exclusive of interest, of which two dollars ($2.00) shall be paid by the bank to the authority.

C. 38:23B-14. Loan for a period less than three years.

14. Any veteran's loan made for a period of less than three years may be extended or refinanced in the discretion of the bank without affecting the obligation of the authority hereunder; *provided,* provision is made for complete discharge of the obligation, and interest thereon, not later than three years from the date of the original loan. Installments may not be accelerated on any veteran's loan unless the loan is more than three months in arrears. A loan may be reduced at any time in the option of the borrower.

Proviso.

C. 38:23B-15. Authority to purchase.

15. The authority shall, to the extent of the funds' resources, purchase upon demand of any bank any note legally executed by a veteran in full compliance with the provisions of this act, which remains unpaid for thirty days after the date of maturity thereof, or on which installments are more than three months in arrears, at a price equal to ninety per centum (90%) of the unpaid principal on such note. In consideration whereof any bank shall pay to the authority an amount equal to ten

per centum (10%) of the interest received on loans placed under this act, to be payable at such time and in such manner as the authority may prescribe.

C. 38:23B-16. Commissioner to liquidate notes.

16. The commissioner shall proceed to liquidate notes purchased by the authority as rapidly as possible, but shall develop and adopt programs for deferred payments by makers of such notes to avoid undue hardship or sacrifice of business values, without regard to the three-year limitations on maturity elsewhere contained in this act.

C. 38:23B-17. Commissioner shall establish.

17. The commissioner shall establish in each community where there may be a need, a business counseling service of nonsalaried counselors, to advise with and assist veterans who apply for or obtain loans under this act. Such counselors shall be persons of proved business judgment and established reputation in the community, and shall be designated by the commissioner.

C. 38:23B-18. Counselors to visit place of business.

18. The commissioner shall, through the business counselors, consult with veterans applying for loans for the purpose of approving or disapproving such loans. Business counselors shall from time to time visit the place of business or profession of veterans using loans under this act, and shall supervise the uses of such loans, advise and assist the veteran with respect to the business or profession, and perform such other duties as the commissioner may delegate to them.

C. 38:23B-19. Veteran not accept more than one loan.

19. No veteran shall accept more than one loan under the provisions of this act, regardless of the amount of such loan, except that a veteran who has received a veteran's loan for less than the maximum amount of the loan to which he may be entitled under this act, and who is otherwise eligible for a veteran's loan, may apply for and receive a second veteran's loan. In such application the veteran shall disclose that it is for a second veteran's loan, and the bank making such loan shall make certain that any unpaid portion of the first loan is paid in full, both as to principal and interest, from the proceeds of such second veteran's loan.

C. 38:23B-20. Guilty of misdemeanor.

20. Any person who, having obtained a veteran's loan under this act, solicits, applies for, or accepts another such loan, except as specifically authorized in this act, and any person who knowingly and willfully furnishes any false or misleading information for the purpose of obtaining a veteran's loan, or of enabling another to obtain a veteran's loan, under this act, shall be guilty of a misdemeanor and upon conviction thereof, be punished by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than three years, or both.

C. 38:23B-21. Veterans' business loan act.

21. This act shall be known as the Veterans' Business Loan Act (1944).

C. 38:23B-22. Effective.

22. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 14, 1944.

CHAPTER 127

AN ACT to regulate elections, and amending section 19:49–2 of the Revised Statutes.

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

Section amended.

1. Section 19:49–2 of the Revised Statutes is amended to read as follows:

Official ballots.

19:49–2. All official ballots shall be printed on clear white paper or cardboard of such form and size as will fit the ballot frames of the machines, printed in black ink in type as large as the space will reasonably permit; *provided, however,* that any public question which shall be placed on the ballot shall be printed in red ink and above any public question to be voted upon by the voters of the entire State there shall be printed, also in red ink, a description of the public question, which

Proviso.

description shall not exceed six words and shall be printed in type as large as is practicable. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on the machines shall be so placed on the machines as to indicate to the voter what push knob, pointer, lever or other device is to be used or operated in order to vote for the candidates or candidate of his choice. The providing of the official ballots and the order of the precedence and arrangement of parties and of candidates shall be as now required by law; *provided, however,* that in those counties where voting machines are used, the specifications for the printing of the official ballots shall be drawn by the county clerk.

Proviso.

For the primary election for the general election in all counties having a population of four hundred thousand or more where voting machines are or shall be used, all candidates who shall file a joint petition with the county clerk of their respective county and who shall choose the same designation or slogan shall be drawn for position on the ballot as a unit and shall have their names placed on the same line of the voting machine; *and provided further,* that all candidates for municipal or party office in municipalities in counties having a population of four hundred thousand or more where voting machines are or shall be used who shall file a petition with the clerk of their municipality, bearing the same designation or slogan as that of the candidates filing a joint petition with the county clerk as aforesaid may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of

Drawing joint petition candidates.

Proviso.

said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid; *provided, also,* that any candidate filing a petition with the Secretary of State may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid.

Proviso.

2. All acts or parts of acts inconsistent herewith are hereby repealed insofar as they relate to counties of the first class where voting machines are or shall be used.

Inconsistent acts repealed.

3. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 128

AN ACT to regulate elections, and amending section 19:50–3 of the Revised Statutes.

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

1. Section 19:50–3 of the Revised Statutes is amended to read as follows: Section amended.

19:50–3. For instructing the voters on any election day a placard eighteen inches by twelve inches shall be furnished by the county board of elections and placed on the face of each voting machine in such a position as not to interfere with the operation thereof, which placard shall contain the words, printed in red ink, "Turn down a pointer over the word 'Yes' or 'No' in the Public Questions column and over the name of each candidate of your choice, and leave them down." For the further instructing of voters on any election day there shall, so far as practicable, be provided by the county election officials or municipal clerk, as the case may be, for each polling place a mechanically operated model of a portion of the face of the machine. Such model, if furnished, shall, during the election, be located on the district election officer's table or in some other place which the voters must pass to reach the machine, and each voter shall, before entering the voting machine booth, be instructed regarding the operation of the machine and such instruction illustrated on the model, and the voter given opportunity to personally operate the model. The voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the officers and candidates. If any voter, after entering the voting machine booth, shall ask for further instructions con- Placards furnished by county boards. Further instructions.

cerning the manner of voting, two district election officers of opposite political parties shall give such instructions to him, but no officer or person assisting a voter shall in any manner request, suggest or seek to persuade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular ticket, or for or against any particular candidate, or for or against any particular amendment, questions or proposition. After giving such instructions and before such voter shall have registered his vote, the officers or person assisting him shall retire and such voter shall then register his vote in secret as he may desire.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 129

AN ACT to amend the title of "An act concerning the appointment of substituted fiduciaries to carry on the administration of any estate, trust or fund, when and during such time as any fiduciary charged with the administration thereof is engaged in war service, and supplementing Title 3 of the Revised Statutes," approved May sixth, one thousand nine hundred and forty-two (P. L. 1942, c. 160), so that the same shall read "An act concerning the appointment of substituted fiduciaries or persons to act as substituted fiduciaries to carry on the administration of any estate, trust or fund, or to administer any estate, trust or fund, when and during such time as any fiduciary charged with the administration thereof or named to act as fiduciary in respect to the administration thereof is engaged in war service, and supplementing Title 3 of the Revised Statutes," and to amend the body of said act.

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

1. The title of "An act concerning the appointment of substituted fiduciaries to carry on the administration of any estate, trust or fund, when and during such time as any fiduciary charged with the administration thereof is engaged in war service, and supplementing Title 3 of the Revised Statutes," approved May sixth, one thousand nine hundred and forty-two (P. L. 1942, c. 160), is amended to read "An act concerning the appointment of substituted fiduciaries or persons to act as substituted fiduciaries to carry on the administration of any estate, trust or fund, or to administer any estate, trust or fund, when and during such

time as any fiduciary charged with the administration thereof or named to act as fiduciary in respect to the administration thereof is engaged in war service, and supplementing Title 3 of the Revised Statutes."

Section amended.

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

C. 3:7-76.1. Fiduciary in war service.

1. Whenever any person named in any last will and testament, or in any instrument creating or settling a trust, to act as a fiduciary, as defined in chapter six of Title 3 of the Revised Statutes, who has not accepted the appointment or designation or who has not qualified as such fiduciary, or whenever any person who is acting as such fiduciary, is engaged in war service, such fiduciary or such person so named or any other person interested in the estate, trust or fund of which said person is so named as fiduciary or is acting as fiduciary, as the case may be, may apply by petition to the surrogate, if the appointment be made in a last will and testament offered for probate before the surrogate, or to the orphans' court, if probate proceedings are pending therein or if the administration of such estate, trust or fund is within the jurisdiction of such court, or to the prerogative court, if such appointment is made in a last will and testament offered for probate in that court or if the administration of such estate, trust or fund is within the jurisdiction of such court or to the Court of Chancery, praying for an order or decree suspending the right of such person to be appointed as such fiduciary or the powers of such fiduciary while the person so named or while such fiduciary is engaged in war service and until the further order of said court and for the appointment of a substitute to act as fiduciary in place and stead of the person so named or of such fiduciary until the suspension of the right of such person to be appointed as such fiduciary or to act as such fiduciary shall be terminated by order or decree of the court and the fiduciary reinstated or the person named to act as fiduciary be appointed.

Petition.

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

Section amended.

2. Upon the filing of said petition, the court shall fix a time and place for hearing thereon, of which notice shall be given to all parties interested in said estate, trust or fund, including such fiduciary or person named to act as fiduciary if application is made by any other person, in such manner as the court shall direct.

C. 3:76-2. Hearing.

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

Section amended.

3. At the time and place so fixed, or at any time to which said hearing may be adjourned, the court, having examined into the merits of such application and heard testimony thereon and being satisfied of the truth of the allegations of said petition and that said fiduciary or person named to act as fiduciary is engaged in war service, may order that the right of such person to be appointed as such fiduciary or the powers of such fiduciary be suspended while he remains engaged in such war service and until the further order of the court and may appoint a substituted fiduciary to qualify and act during said time.

C. 3:76-3. Substituted fiduciary.

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

Section amended.

4. If the fiduciary or person named to act as fiduciary is one of several cofiduciaries or one of several named to act as cofiduciaries the court may appoint a substituted cofiduciary or may appoint such fiduciary's cofiduciary or cofiduciaries or the person or persons named to act as cofiduciaries to act as such substituted fiduciary, and if the will or other instrument under which said fiduciary is appointed or person is named to act as fiduciary provides for a substitute or alternate fiduciary, the court shall appoint such substitute or alternate fiduciary or person named to act as substitute or alternate fiduciary to act during said time if he is willing to act and can qualify.

C. 3:76-4. Substitute or alternate.

Section amended.

6. Section five of the act of which this act is amendatory is amended to read as follows:

C. 3:76-5. Substitute bonded.

5. Such substituted fiduciary or person named to act as substituted fiduciary shall give bond in such terms as to condition, security and amount as were required of said fiduciary or person named to act as fiduciary in whose place and stead he is appointed or as said court shall direct, and if said fiduciary or person named to act as fiduciary was not required to give bond the court may, in its discretion, require such substituted fiduciary or person named to act as substituted fiduciary to give bond in such terms as to condition, security and amount as the court may determine.

Section amended.

7. Section six of the act of which this act is amendatory is amended to read as follows:

C. 3:76-6. Authority of substituted fiduciary.

6. Such substituted fiduciary or person named to act as substituted fiduciary, upon qualifying in accordance with the order of the court, shall be entitled to such control and possession of all of the unadministered assets of said estate, trust or fund, and shall be vested with such title to and powers over said estate, trust or fund as the fiduciary or person named to act as fiduciary, in whose place and stead such substituted fiduciary or person named to act as substituted fiduciary is appointed, had or would have had except for such suspension of rights or powers and shall have power to administer the estate, trust or fund and shall be required to administer the same and to account for his administration thereof according to law.

Section amended.

8. Section seven of the act of which this act is amendatory is amended to read as follows:

C. 3:76-7. Reinstatement of fiduciary.

7. When the fiduciary or person named to act as fiduciary in whose place and stead such substituted fiduciary or person named to act as substituted fiduciary is appointed ceases to be engaged in war service, he may be reinstated as fiduciary or may be appointed to act as fiduciary if any part of said estate, trust or fund remains unadministered and if any of the duties of the office of fiduciary thereof remain unexecuted, except the duty to account,

upon application to the surrogate or court by whom or by which his rights or powers were suspended and upon such notice as said surrogate or court shall direct, and thereupon any substituted fiduciary or person named to act as substituted fiduciary of said estate, trust or fund, appointed by the court shall be removed and his letters shall be revoked and all of his powers as such substituted fiduciary shall cease, except the power and duty to account for his administration of said estate, trust or fund, and such substituted fiduciary shall deliver to the reinstated fiduciary all of the unadministered assets of said estate, trust or fund remaining in his possession and control and shall promptly account to the court for his administration of said estate, trust or fund.

Removal of substitute.

9. Section eight of the act of which this act is amendatory is amended to read as follows:

Section amended.

8. Upon reinstatement, such fiduciary or person named to act as fiduciary shall be vested with all of the title to such portion of such estate, trust or fund as has not been administered by such substituted fiduciary or person named to act as substituted fiduciary and shall have all of the powers over the same and shall be subject to all of the duties in connection with the administration of said portion of said estate, trust or fund which he had or would have had by virtue of his original appointment as such fiduciary, or his being named to act as fiduciary but shall have no responsibility for the administration of said estate, trust or fund by such substituted fiduciary or person named to act as substituted fiduciary but shall be responsible for and shall account for his own administration of said estate, trust or fund, which may have remained in his hands or for which he may be accountable by his own action or neglect.

C. 3:76-8.

Full powers on reinstatement.

Responsibility.

10. Section ten of the act of which this act is amendatory is amended to read as follows:

Section amended.

10. The court may appoint more than one substituted fiduciary or more than one person to act as substituted fiduciary in place and stead of any

C. 3:76-10.

Number of substitutes.

fiduciary or person named to act as fiduciary so engaged in war service if, in its discretion, the court shall determine that it is for the best interests of the estate, trust or fund, or of the parties interested therein, that such appointment shall be made.

Section amended.

11. Section eleven of the act of which this act is amendatory is amended to read as follows:

C. 3:76-11.1.

11. For the purposes of this act a fiduciary or person named to act as fiduciary shall be deemed to be engaged in war service;

Member of fighting force.

(a) If he is a member of the military or naval forces of the United States or of any of its allies or if he has been accepted for such service and is awaiting induction into such service; or

Working abroad.

(b) If he is engaged in any work abroad in connection with a governmental agency of the United States or in connection with the American Red Cross Society or any other body with similar objects; or

Interned.

(c) If he is interned in an enemy country or is in a foreign country or a possession or dependency of the United States and is unable to return to this State.

12. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 130

AN ACT respecting the orphans' court and relating to the powers and duties of the ordinary of the orphans' court and surrogate, and amending section 3:25–21 of the Revised Statutes.

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

1. Section 3:25–21 of the Revised Statutes is amended to read as follows: Section amended.

3:25–21. The real estate of any person who shall die seized thereof or entitled to the same, as well as any share or shares or part or parts of a share of propriety of undivided rights or warrants to locate lands in this State, shall be and remain liable for the payment of his debts for one year after his decease, and may be sold by virtue of an order of the prerogative court, if the letters were issued by the ordinary, or, if the letters were issued by a surrogate, by order of the orphans' court of the county where such real estate shall lie, or in case of any share or shares, or part or parts of a share of propriety of undivided rights or warrants to locate lands, by an order of the orphans' court of the county where such decedent last resided, if obtained within the said period of time, any alienation or encumbrance made or attempted to be made by his heir or heirs, devisee or devisees to the contrary notwithstanding; *provided, always,* that nothing herein contained shall affect any right of dower or curtesy in said real estate; *and provided further,* that in all cases where an executor, executors, trustee or trustees shall, pursuant to a power of sale given in the will under which they were appointed and qualified, make a bona fide sale on submission to and approval of the prerogative court or the orphans' court as the case may be as in the case of sales made by

Real estate liable for debts.

May be sold.

Proviso.

Proviso.

an administrator with the will annexed of any real estate of the decedent within said period of one year, then and in such case said real estate so sold shall be no longer liable for the payment of the debts of the decedent, and the purchaser shall not be liable to see to the application of proceeds of sale.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 131

AN ACT concerning appeals from certain judgments rendered by justices of the peace in landlord and tenant proceedings, and amending section 2:58–26 of the Revised Statutes.

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

Section amended.

1. Section 2:58–26 of the Revised Statutes is amended to read as follows:

Proceeding shall not be appealed.

2:58–26. Proceedings had by virtue of section 2:58–17 of this Title shall not be appealed nor removed by certiorari, except as hereinafter provided, but the landlord shall remain liable in an action at law, in the nature of an action of trespass, for an unlawful proceeding under this article.

Appeal from judgment.

Any party to an action brought under section 2:58–17 of the Revised Statutes before any justice of the peace, for the removal of any tenant, may appeal from a judgment obtained therein, except a judgment given by confession, to the court of common pleas of the county in which said action

Notice of appeal.

was brought by filing a notice of appeal with the justice within twenty days after the judgment is given. The justice shall thereupon grant the appeal upon the terms and conditions provided, and

the appeal shall be perfected, heard and determined in the manner provided by article eight of chapter thirty-three of Title 2 of the Revised Statutes in the case of other judgments entered in the small cause court, except that, if said appeal is taken from a judgment for possession, the taking of said appeal shall not operate to stay or delay the issuance and the execution of a warrant of removal unless the appellant shall, in lieu of the bond provided to be filed by section 2:33–113 of the Revised Statutes, file with the justice a bond, to appellee, approved by a judge of said court of common pleas as to form and sufficiency of surety and in such amount as said judge shall fix, upon five days' notice given to the appellee, which bond shall be conditioned to indemnify the appellee for all damages resulting from the taking of the appeal and costs, if said appeal be discontinued or dismissed or judgment therein be given for the defendant.

Appeal not to operate or stay.

Bond filed.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 132

AN ACT to preserve the rights of certain registered pharmacists serving in the military or naval service of the United States or of this State, and supplementing chapter fourteen of Title 45 of the Revised Statutes.

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

1. Any person, who after July first, one thousand nine hundred and forty, has entered or hereafter shall enter the active military or naval service of the United States or of this State, in time of

C. 45:14-11.1. Active military service.

war or emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service and who, at the time of such entry, held or shall hold, in full force and effect, a certificate of registration as a registered pharmacist, shall be granted a like certificate of registration upon presenting to the Board of Pharmacy of the State of New Jersey an honorable discharge from such military or naval service, dated not more than one year prior to the date of such presentation, notwithstanding that the annual renewal fee has not been paid during the period of such persons military or naval service.

Certificate of registration.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 133

AN ACT concerning disorderly persons, and supplementing subtitle thirteen of Title 2 of the Revised Statutes.

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

C. 2:202-9.1. Disorderly person.

1. Any person who places poison or poisoned food in or on any public place or in or on any private premises not owned or occupied by such person, with the intention to injure or kill any domestic animal owned by another person, shall be adjudged a disorderly person.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 134

AN ACT relating to the enforcement of collections of taxes on personal property, and amending section 54:4–78 of the Revised Statutes.

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

1. Section 54:4–78 of the Revised Statutes is amended to read as follows: Section amended.

54:4–78. The collector shall, in person or by deputy, forthwith after the date when the last installment of the taxes for such year are due and delinquent, enforce the payment of all taxes on personal property and poll tax and dog taxes by distress and sale of any of the goods and chattels of the delinquent in the State. Enforce payment of taxes.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 135

AN ACT to validate certain deeds heretofore made by or to certain corporations.

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

1. No deed of conveyance heretofore made or purporting to have been made by any corporation, purporting to be a corporation under the laws of this State, and not now in existence and no longer exercising the powers of a corporation, for lands, tenements or hereditaments situate in this State, which shall have been recorded prior to the first day of April, one thousand nine hundred and Deed by corporation.

thirty-six, shall be invalid because of the fact that the certificate of incorporation was not filed in the office of the Secretary of State of this State; *provided,* such certificate of incorporation has been recorded in the office of the clerk of the county where the principal place of business of such corporation is located; *and provided further,* that such deed was recorded within the calendar year of the recording of the certificate of incorporation in the office of the county clerk, as aforesaid; but every such deed of conveyance shall be valid and effectual in law as if the certificate of incorporation of such corporation has been duly filed in the office of the Secretary of State of this State.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 136

AN ACT concerning district courts, and amending section 2:8–33 of the Revised Statutes.

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

Section amended.

1. Section 2:8–33 of the Revised Statutes is amended to read as follows:

Fees of sergeants-at-arms.

2:8–33. For their services the several sergeants-at-arms of the district courts shall receive from the clerks of such courts the fees provided by section 22:2–45 of the Title, Fees and Costs, and the amendments and supplements thereto, and, for their attendance upon the sessions of such courts, annual salaries as follows:

a. In counties of the first class, not less than twenty-five hundred ($2,500.00) nor more than three thousand dollars ($3,000.00);

b. In counties having between ninety thousand and three hundred and fifty thousand in-

habitants, not less than fifteen hundred ($1,500.00) nor more than twenty-five hundred dollars ($2,500.00);

c. In counties having between forty-five thousand and ninety thousand inhabitants, twelve hundred dollars ($1,200.00);

d. In counties having between twenty-five thousand and forty-five thousand inhabitants, six hundred dollars ($600.00); and

e. In counties having less than twenty-five thousand inhabitants, four hundred fifty dollars ($450.00);

but in any district court of a judicial district in counties having a population exceeding eight hundred thousand inhabitants not more than one sergeant-at-arms, who shall be designated by the judge of such court, shall be entitled to receive a salary for attendance upon the sessions of such court.

Salaries.

The amounts of the salaries herein provided for shall be fixed, at any time during the term of office of any such sergeant-at-arms, by the governing body of any municipality in which a city district court is located and in judicial district courts by the board of chosen freeholders of the respective counties in which such judicial district courts are located, and shall be paid semimonthly by the cities in which the city district courts are located and by the treasurer of the counties in which the judicial district courts are located.

Not to decrease salary.

This section shall not affect district courts in cities of the second class having more than one hundred and thirty-five thousand inhabitants; nor shall anything in this section be construed to empower any person or body to decrease the salary of any sergeant-at-arms.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 137

AN ACT to amend the title of "An act relative to the purchase and retirement of bonds by counties and municipalities, and supplementing article one of chapter one of Title 40 of the Revised Statutes," approved December twenty-first, one thousand nine hundred and forty (1940, c. 240), so that the same shall read "An act relative to the purchase and retirement of bonds, notes or other obligations by counties and municipalities and the transfer of unappropriated funds to the sinking funds of such counties and municipalities, and supplementing article one of chapter one of Title 40 of the Revised Statutes," and to amend the body of said act.

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

1. The title of "An act relative to the purchase and retirement of bonds by counties and municipalities, and supplementing article one of chapter one of Title 40 of the Revised Statutes," approved December twenty-first, one thousand nine hundred and forty (1940, c. 240), is amended to read "An act relative to the purchase and retirement of bonds, notes or other obligations by counties and municipalities and the transfer of unappropriated funds to the sinking funds of such counties and municipalities, and supplementing article one of chapter one of Title 40 of the Revised Statutes."

Section amended.

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

C. 40:1-60.1. Appropriate funds.

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

(1) Any county or any municipality, by resolution adopted by vote of at least two-thirds of the

members of its governing body, may at any time appropriate and apply any unappropriated funds to the purchase and retirement of any of its then outstanding bonds, notes or other obligations. The purchase price may be the face value, or may be below or above the face value, of such bonds, notes or other obligations. Any such proposed purchase shall be subject to the following provisions:

Funds available.

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

Submit resolution.

(b) Before contracting to purchase any bonds, notes or other obligations at a price above their face value, the governing body shall submit such resolution to the commissioner of local government for approval by the local government board created and established by chapter one hundred fifty-eight of the pamphlet laws of one thousand nine hundred and thirty-eight. Before taking definitive action, the said local government board may require the submission of additional information and may require that the governing body of the county or municipality shall call for public tenders of bonds, notes or other obligations on such notice and subject to such rules as the board may prescribe. On receipt of such tenders, the governing body shall report them to the local government board together with a further proposed resolution for approval by that board.

Determine funds available.

In approving or disapproving any proposed purchase of bonds, notes or other obligations, the said local government board shall find and determine that such appropriation of available funds is in the interest of the county or municipality, having regard for (1) the prospective need of funds for other purposes, (2) reasonableness of the price

proposed to be paid, (3) any saving of interest to result from retirement of the bonds, notes or other obligations at the price proposed to be paid, (4) the equality and reasonableness of the debt service on obligations which will remain outstanding, and (5) fairness to the holders of other obligations.

Purchase of funds.

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

Any county or municipality, by resolution adopted by the vote of at least two-thirds of the members of its governing body, may at any time appropriate to and pay into any sinking fund maintained by such county or municipality, any unappropriated funds; *provided,* a certified copy of such resolution shall be submitted to the local government board and the local government board, by resolution, shall determine that it is satisfied by proof submitted to it that such funds then are, or within a reasonable time will be, available, and shall consent to such appropriation.

Proviso.

3. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 138

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

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

Appropriation.

1. There is hereby appropriated to the Commission on Interstate Co-operation out of the general funds of the State the sum of one thousand two hundred and thirty-five dollars ($1,235.00) for the

fiscal year ending June thirtieth, one thousand nine hundred and forty-five, which sum shall be in addition to any other sums which have been or shall be appropriated to the said commission.

2. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 139

AN ACT to provide for the establishment of a common trust fund for the purpose of furnishing investments to the Diocesan Convention of any Diocese of the Protestant Episcopal Church within the State of New Jersey and to any trustees, incorporated or unincorporated, holding funds for the benefit of the missionary, religious, benevolent, charitable or educational purposes of said Diocese and to any church, parish, congregation, society, chapel or mission of, or connected with, the Protestant Episcopal Church in said Diocese, and supplementing chapter twelve of Title 16 of the Revised Statutes.

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

C. 16:12-26. Establish a common trust fund.

1. The Diocesan Convention of any Diocese of the Protestant Episcopal Church within the State of New Jersey may, by canon or by-law, establish a common trust fund for the purpose of furnishing investments to itself and to any trustees, incorporated or unincorporated, holding funds for the benefit of the missionary, religious, benevolent, charitable or educational purposes of said Diocese and to any church, parish, congregation, society, chapel or mission of, or connected with the Protestant Episcopal Church in said Diocese, whether said funds are held as fiduciary or otherwise.

C. 16:12-27. Lawful to invest.

2. Notwithstanding the provisions of any other law of this State in any way limiting the right of said trustees, parishes, congregations, societies, chapels or missions as fiduciaries or otherwise, to invest funds held by them, it shall be lawful for said trustees, parishes, congregations, societies, chapels or missions as fiduciaries or otherwise, to invest any or all of their funds in shares of or interests in such common trust fund; *provided,* that in case of funds held as fiduciary, such investment is not prohibited by the provisions of the will, deed, or other instrument creating such fiduciary relationship.

C. 16:12-28. Designation.

3. Said common trust fund, shall be designated as the Diocesan Investment Trust of the Diocese of ..... (name of Diocese) and shall be under the management and control of trustees who shall be elected as provided by the canons or by-laws of the Diocesan Convention of the Diocese in which said investment trust fund is created. The trustees of said fund, and their successors, shall be incorporated by filing a certificate under the hand and seal of the president and secretary of the convention stating the corporate name, as aforesaid, and also the names of such trustees, in the office of the Secretary of State and, thereupon, such trustees and their successors shall be a corporation under the name and title so certified with the following powers:

Have perpetual succession.

a. Have perpetual succession as such corporation;

Sue and be sued.

b. Sue and be sued, plead and be impleaded in any court;

Adopt seal.

c. Adopt and use a common seal and alter and renew the same at pleasure;

Appoint officers.

d. Appoint and employ such officers, agents, employees, advisers, banks and trust companies as may be necessary in the proper management of said trust and fix their compensation;

e. Make by-laws and rules consistent with law, for the regulation and management of its affairs, properties and institutions; Make by-laws.

f. Acquire, purchase, receive, have and hold and take by devise, bequest or gift without limit, real and personal property of all kinds, church edifices, schoolhouses, college buildings, parsonages, sisters' houses, hospitals, orphan asylums, and all other kinds of religious, ecclesiastical, educational and charitable institutions, and the lands whereon the same are or may be erected, and cemeteries or burial places, and any real estate suitable for any or all of said purposes; Acquire real property.

g. Lease, grant, sell and dispose of all or any part of such property; Dispose of property.

h. Borrow money for the purposes of the corporation, and give bonds and mortgages therefor on any part of its property; Borrow money.

i. Exercise any corporate powers necessary and proper for the carrying out of the above-enumerated powers and the purposes of the corporation and its institutions. Exercise corporate powers.

4. The corporation is authorized to retain in its absolute discretion and for such period as to the said trustees shall seem advisable any and all investments and other properties which may be entrusted to it by any of the said trustees, parishes, congregations, societies, chapels or missions. C. 16:12-29. Retain investments.

5. The corporation is also authorized to change investments and properties and to invest and reinvest all or any part of the fund in such securities, investments, or other property as to the said trustees shall seem advisable without being restricted to those classes of securities which are lawful for the investment of trust funds under the laws of this State. C. 16:12-30. Change investments.

6. The corporation shall pay ratably among the holders of shares or interests then outstanding, annually, or, in the discretion of said trustees, more frequently, dividends which shall approximately C. 16:12-31. Pay dividends.

equal in each fiscal year, the net income of the trust, after establishing such reserves as they may deem advisable.

7. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 140

AN ACT concerning public education, supplementing Title 18 of the Revised Statutes, and repealing section 18:16–27 of the Revised Statutes.

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

C. 18:16-27.1. May provide work.

1. The president of any State teachers college may, under regulations approved by the commissioner, provide work in or about such teachers college for any student or students who demonstrate financial need. The value of such work as determined by the president under the aforementioned regulations shall be credited toward the payment in part or in whole of the tuition fees of such student or students; *provided,* that the number of students aided under the provisions of this act shall not exceed fifteen per centum (15%) of the number of the full-time students of such college.

Proviso.

C. 18:16-27.2. Section repealed.

2. Section 18:16–27 of the Revised Statutes is repealed.

3. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 141

AN ACT concerning elections, and supplementing Title 19 of the Revised Statutes.

WHEREAS, Our men and women in service must be protected in their constitutional right to exercise the right to vote; and Preamble.

WHEREAS, The time element involved in transporting the ballots to and from the four corners of the earth will result in disenfranchising our servicemen and servicewomen located outside the United States in any year in which the primary election is held in September; and Preamble.

WHEREAS, It is imperative that the provisions of law requiring the holding of the primary election in September except in presidential years be changed so that during the war all primary elections shall be held in May, to the end that sufficient time will be provided to transport the ballots to and from all places outside the United States in which our men and women are serving our country; now, therefore, Preamble.

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

1. During the present war, the primary election for the general election shall be held on the third Tuesday of May in each year and all provisions of law, except provisions concerning delegates and alternates to national conventions and presidential electors, which apply to a primary election for the general election which is held in a year when the President of the United States is to be elected, shall apply to all such primary elections held in any other year. C. 19:2-2.1. Primary election.

2. This act shall take effect immediately but shall remain in effect only during the present war. Effective.

Approved April 14, 1944.

New Jersey State Library

CHAPTER 142

AN ACT to amend "An act for the preservation and improvement of certain of the natural oyster beds and seed grounds of this State, and providing for the issuance of licenses to persons engaged in the business of opening, shucking, processing and packing of oysters, taken from the tidal waters of the Delaware river, the Delaware bay, the Morris river cove and their tributaries, for sale, within this State and persons engaged in the business of purchasing oysters so taken in the shells from growers within this State for the purpose of resale or shipment for resale or use other than the use of such persons and their families and of persons engaged in the business of packing and shipping oysters, grown by them in said tidal waters, in the shells for resale or such use; providing for the compensation to be paid for the issuance of such licenses and for the method of calculating the same and providing penalties for violations, and supplementing Title 50 of the Revised Statutes," filed April twelfth, one thousand nine hundred and forty-three (P. L. 1943, c. 182).

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

Section amended.

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

C. 50:3-20.5. Delivery of shells on cash value.

5. Each license shall provide, as a part of the consideration for the issuance thereof, that the licensee shall deliver to the board, at the licensee's place of business, or such other place as shall be mutually agreeable to the licensee and the board, on or before July first of each year, for reclama-

tion, the percentage of oyster shells set by the board to be returned to the State for that year, or, in lieu thereof, the true fair cash market value of said shells, as determined by the board, in accordance with the provisions of section four hereof. In the event the licensee shall elect to pay the true fair cash market value of shells in lieu of returning the shells, the same shall be computed on the basis of the oysters shucked by, or shipped by said licensee, and payment shall be made on a basis of one bushel of shells for each bushel of oysters shucked by, or shipped by said licensee.

Submit statement.

Every licensee shall submit in writing every month, on or before the fifteenth day of the month following the month for which such statement is made, a verified statement or report of the number of bushels of oysters opened, shucked, processed or packed in the case of a shucking house, or of the number of bushels of oysters purchased in the case of a dealer, or of the number of bushels of oysters packed and shipped in the case of a grower.

Make payments.

Every licensee who elects to pay the true fair cash market value of shells in lieu of returning the shells shall make such payment in monthly installments on or before the fifteenth day of the month succeeding the month for which payment is made. Said payment shall be calculated and based upon the verified statement required to be filed each month by such licensee.

Applicant may elect to deliver.

Every applicant for license under the provisions of this act shall, at the time of making application for a license, elect whether he shall deliver to the board the percentage of oyster shells set by the board to be returned to the State for that year, or, to pay the true fair cash market value of said shells as determined by the board, in accordance with the provisions of section four hereof. The board may, at any time, in its discretion, upon good cause in its opinion being shown therefor, permit a licensee to change his election.

Section amended.

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

C. 50:3-20.8. Liable to penalty.

8. Any person violating any of the provisions of this act or the terms of any license issued hereunder or any regulation of the board made pursuant hereto shall be liable to a penalty of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) for the first offense, and not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00) for any subsequent offense, which penalties shall be enforced and recovered in the manner prescribed by chapter five of Title 50 of the Revised Statutes, to which Title this act is a supplement.

License may be suspended.

In addition to the penalties prescribed by this section, the license of any licensee may be suspended or revoked by the board for violation of any of the provisions of this act, or the terms of any license issued hereunder or any rule or regulation of the board made pursuant hereto. Before any license shall be suspended or revoked a notice shall be served upon the licensee, which notice shall specify the grounds for such proposed suspension or revocation and shall fix a time and place for hearing. Such notice shall be served upon the licensee either personally or by leaving the same at his place of business or residence at least ten days before the time fixed for the hearing. At the time and place fixed in the notice, or at any time and place to which the hearing shall be adjourned, the board shall hear the matter in a summary way. The accused person shall have the right to be represented by counsel of his own selection. The president and the director of the board shall have the right to administer oaths to witnesses, and the board may issue subpœnas, signed by its president and secretary, for compulsory attendance of witnesses at such hearing. Upon the request of the accused licensee or his counsel, the board shall issue subpœnas to compel the attendance of witnesses in behalf of the accused licensee, which sub-

Serve notice of hearing.

Administer oaths.

pœnas when issued shall be delivered to the accused licensee or his counsel. Process for the compulsory attendance of witnesses shall be effective if served upon the person named therein anywhere within this State, if, at the time of such service, the fees provided by law for witnesses in civil cases are paid or tendered to such person. Any person upon whom a subpœna shall have been served and to whom a fee has been so paid or tendered, who shall not appear according to the command thereof, having no lawful or reasonable excuse for such default, shall be liable to a penalty of fifty dollars ($50.00) which shall be sued for and recovered by the board in the manner herein provided for the recovery of penalties incurred under this act. Process. Penalty.

3. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 143

AN ACT to authorize the consolidation of a cathedral church or foundation incorporated under the provisions of chapter one hundred thirty-two of the laws of one thousand nine hundred and eight, or under article five of chapter one of Title 16 of the Revised Statutes, with an incorporated church, congregation, parish or society of the same church or denomination under the jurisdiction of which such cathedral church or foundation was incorporated.

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

1. Any cathedral church or foundation incorporated under the provisions of "A supplement to an act entitled 'An act to incorporate trustees of C. 16:1-43.1.

religious societies' (Revision), approved April ninth, one thousand eight hundred and seventy-five, and providing for the incorporation and management of cathedral churches, chapters and foundations," approved April ninth, one thousand nine hundred and eight (P. L. 1908, c. 132), or under article five of chapter one of Title 16 of the Revised Statutes, and any incorporated church, congregation, parish or society (located in the same diocese or other jurisdiction in this State) of the same church or religious denomination under the jurisdiction of which such cathedral church or foundation was incorporated under said act, may consolidate into a single religious corporation, as hereinafter provided.

C. 16:1-43.2. May vote to consolidate.

2. Such cathedral church or foundation, by the vote of its general chapter or other highest governing body, and such church, congregation, parish or society, by the vote of its trustees, consistory, session, vestry, or other highest governing body, may make or authorize the making of a joint consolidation agreement, which shall set forth:

(a) The cathedral church or foundation, and the church, congregation, parish or society, to be consolidated;

(b) The terms or conditions of the consolidation, and the mode of carrying it into effect;

(c) The name of the consolidated corporation, which may be that of one of the constituent corporations;

(d) The period, if any, limited for the duration of the consolidated corporation; and

(e) The number, qualifications, if any, and terms of office of the persons who shall constitute the first board of trustees, chapter or other governing body, and the principal officers, of the consolidated corporation after the consolidation has been effected, their names or their designation ex officio as persons for the time holding specified clerical offices or offices

or membership in specified religious bodies or organizations or committees thereof, or the manner in which, and the persons or bodies or organizations or committees thereof by which, they or some of them are to be elected or appointed, who shall hold their respective offices until their successors are elected or appointed. The consolidation agreement may:

(f) Fix a time subsequent to the filing of the agreement in the office of the Secretary of State at which the consolidation shall become effective and provide for changing or extending that time;

(g) Fix a time at which the first meeting of the trustees, chapter or other governing body of the consolidated corporation, shall be held, or provide for the call and notice thereof;

(h) Contain other provisions necessary or proper for carrying the consolidation into effect;

(i) Provide that the constitution, and statutes or by-laws, of one of the constituent corporations shall constitute those of the consolidated corporation, or provide for the adoption and amendment thereof, from time to time, by the latter, or such agreement may, by reference, or otherwise, adopt or prescribe the constitution, and statutes or by-laws thereof;

(j) Contain provisions defining the objects and powers of the consolidated corporation; and

(k) Provide for the method of changing the name of the consolidated corporation, and for the subsequent amendment of provisions of the consolidation agreement defining the objects and powers of the consolidated corporation or other provisions therein contained relating to its regulation, organization, government, management and administration.

C. 16:1-43.3. Consolidation agreement may provide.

3. The consolidation agreement, and the constitution and statutes or by-laws, of the consolidated corporation, or either thereof, may provide, consistently with the doctrine, government, discipline and usages of the church or religious denomination to the jurisdiction of which the consolidating corporations are subject, for:

(a) The organization, constitution, number, qualifications, classifications and term of office, according to classes or otherwise, of its trustees, chapter or governing body, committees and officers, their designation ex officio as persons for the time holding specified clerical offices or offices or membership in specified religious bodies or organizations or committees thereof, or the manner in which, and the persons or bodies or organizations or committees thereof by which, they or some of them are to be elected or appointed, or perpetuated in office, and may be suspended or removed, and the qualifications and constitution of the membership of the congregation;

(b) The regulation, management and administration of its temporal affairs and property, endowments and other funds, and creating, defining, limiting and regulating the powers of the trustees, chapter or governing body, committees and officers, and of the congregation, and the number necessary to constitute a quorum at any meeting of such governing body, committees, and congregation.

C. 16:1-43.4. Agreement submitted for approval.

4. The consolidation agreement shall be submitted for approval and adoption,

(a) to the diocesan convention, presbytery, classis, synod, annual conference or other governing body under the jurisdiction of which such cathedral church or foundation was incorporated under said act of April ninth, one

thousand nine hundred and eight, or said article five of chapter one of Title 16 of the Revised Statutes; and

(b) to the members of such church, congregation, parish or society, qualified to vote at an annual meeting thereof, at a special meeting thereof held in accordance with the government and usages thereof.

If (a) the said governing body shall vote to approve and adopt the consolidation agreement, and if (b) two-thirds of the members of said church, congregation, parish or society present and voting at such meeting shall vote to approve and adopt the consolidation agreement, the consolidation of the said parties thereto shall take effect in accordance with its terms and provisions, as hereinafter provided.

C. 16:1-43.5. Agreement filed with Secretary of State.

5. The consolidation agreement, after adoption, with a certificate annexed by each constituent corporation, executed under its seal and signed by its secretary or clerk or registrar or assistant secretary or clerk or registrar, certifying the fact of the adoption thereof in accordance with this act, shall be filed in the office of the Secretary of State, and shall thereupon take effect in accordance with its terms and provisions and at the time therein fixed, or, if none, then upon its filing.

Within twenty days after the filing thereof as aforesaid, a copy thereof, certified by the Secretary of State, shall be filed in the office of the county clerk of the county or counties in which the constituent corporations are located, and shall be recorded by him, and a notice of the adoption thereof shall be published at least once in two newspapers circulating in the county or counties in which the constituent corporations are located.

C. 16:1-43.6. Constituent corporations one corporation.

6. When the consolidation becomes effective, the constituent corporations shall be one corporation by the name provided in the agreement, and all of the rights, charter rights, privileges, exemp-

tions, immunities, powers, prerogatives and franchises of each of the constituent corporations, real and personal property, wherever situated, funds, endowments, investments, legacies, remainders, estates in possession or expectancy, gifts, interests, and things in action, of or belonging to the constituent corporations, whether vested, contingent, accrued or to accrue, shall be vested in and be deemed to be transferred to the consolidated corporation without further act or deed, and shall be thereafter as effectually the property of and vested in the consolidated corporation as they were of the respective constituent corporations, and the title to any real estate, whether by deed, gift, will, devise, or otherwise, personal property, funds, endowments, investments, legacies, remainders, estates in possession or expectancy, gifts, interests, and things in action, under the laws of this or any other State, territory, or nation, vested in, or accruing or to accrue, or inuring to the benefit of, either of the constituent corporations, shall not revert or be in any way impaired, annulled or affected, by reason of the consolidation, but shall be fully vested in and inure to the benefit of the consolidated corporation.

Rights and obligations.

All rights, all obligations and relations to any person, and all debts, liabilities, trusts and duties, of each of the constituent corporations, shall remain unimpaired, and the consolidated corporation shall, by the consolidation, succeed to all such rights, obligations, relations, debts, liabilities, trusts and duties, and shall execute and perform all of them, to the same uses and purposes, as nearly as may be, as those upon which they were to be executed and performed by the respective constituent corporations, and they may be enforced against it to the same extent and in the same manner as though it had itself assumed the obligations, relations or trusts, or incurred the debts, liabilities or duties.

Rights of creditors.

All rights of creditors, and all liens upon the property, of the constituent corporations, shall be preserved unimpaired, and the constituent corporations shall be deemed to continue in existence in order to preserve the same.

Action not to abate.

No pending action or other judicial proceeding, to which either of the constituent corporations shall be a party, shall abate or be discontinued by reason of the consolidation, but the same may be prosecuted to final judgment, order or decree against the consolidated corporation.

C. 16:1-43.7.

7. Every gift, grant, legacy, bequest or devise, in trust or otherwise, vested or contingent, in possession or expectancy, contained in any will or other instrument, made before or after the consolidation, to or for, or inuring or accruing to, either constituent corporation, shall vest in, inure and accrue to the benefit of the consolidated corporation as effectually as though made to it and in its name and for its use and benefit, subject to all estates, trusts, interests and conditions imposed in relation thereto, and every such will or other instrument shall take effect subject to the provisions of this act and any consolidation hereunder. So far as may be necessary to accomplish the foregoing, the separate corporate entity and name of each constituent corporation shall be continued for the purpose of enabling it to accept and receive every such gift, grant, legacy, bequest or devise as fully as though the consolidation had not been effected, and the trustees, chapter or other governing body of the consolidated corporation shall, for such purpose, be deemed to be the trustees, chapter or other governing body of the constituent corporation. Immediately upon the accrual or receipt of every such gift, grant, legacy, bequest or devise, or the proceeds thereof, the title to the same shall become vested in the consolidated corporation, subject to all estates, trusts, interests and conditions imposed in relation thereto.

Every gift to vest in consolidated corporation.

C. 16:1-43.8. Not to impair vested rights.

8. Nothing herein contained shall impair, annul or affect any vested rights, charter rights, privileges, exemptions, immunities, powers, prerogatives, franchises or advantages heretofore obtained and actually used or enjoyed by either constituent corporation under authority of any act of this State.

Corporation not dissolved.

Neither constituent corporation shall be dissolved nor shall its existence be terminated by reason of the consolidation, but it shall continue to exist in the consolidated corporation, which shall succeed to and continue to have and enjoy unimpaired the several rights, charter rights, privileges, exemptions, immunities, powers, prerogatives, franchises and advantages of the constituent corporations, consistently with the provisions of this act and of the consolidation agreement.

C. 16:1-43.9. Powers.

9. The consolidated corporation shall have and may exercise all powers conferred by the respective certificates of incorporation or charters of the constituent corporations, by Title 14 (Corporations, General), and by Title 16 (Corporations and Associations, Religious), and, in particular, the powers conferred by article five of chapter one of Title 16, of the Revised Statutes, so far as the same are not inconsistent with this act, are necessary or convenient to the furtherance of its objects, and are in accordance with the doctrine, government, discipline and usages of the church or religious denomination to the jurisdiction of which the constituent corporations were subject. It shall have, among other powers, the power to invest, change the investments of and reinvest its endowment and funds in such investments, whether or not prescribed by statute, and in such manner, as it shall deem proper.

C. 16:1-43.10. Certified copy of agreement.

10. A copy of the consolidation agreement, certified by the Secretary of State, shall be evidence in all courts and for all purposes of the agreement and of the existence, property rights, charter rights, privileges, exemptions, immunities, powers,

prerogatives, franchises, obligations, relations, debts, liabilities, trusts and duties of the consolidated corporation.

Certified copy may be recorded.

Such a certified copy, although not otherwise acknowledged or proved, may be recorded in any county, in the office of the clerk of the county or in the office of the register of deeds in any county in which the office of register of deeds exists, in accordance with the provisions of Title 46 (Property) of the Revised Statutes, in any of the proper books for the record of deeds and assignments of mortgages, both of real and personal property. The record of such certified copy shall be as valid and effectual in law as if duly executed and acknowledged deeds to all the real estate and duly recorded assignments of all the mortgages owned of record by each of the constituent corporations, had been made, acknowledged and delivered by the constituent corporations to the consolidated corporation and duly recorded.

11. This act shall take effect immediately.

Approved April 14, 1944.

CHAPTER 144

AN ACT making appropriations from the State Highway Fund for the maintenance and operation of the State Highway and other related departments, for the period from January first, one thousand nine hundred and forty-four, to June thirtieth, one thousand nine hundred and forty-five.

ANTICIPATED REVENUES OF THE STATE HIGHWAY FUND

Tax on motor fuels	$21,750,000 00
Motor vehicle fees, fines, et cetera	36,100,000 00
Motor vehicle inspection fees	562,500 00
Bus excise tax	120,000 00
Miscellaneous revenue	650,000 00
Unappropriated balance, January 1, 1944	9,824,527 85
	$69,007,027 85
Balance 1943 maintenance program	342,639 51
Balance WPA program	2,956 23
Balance 1942 construction program	98,894 70
Uncommitted 1943 appropriation to match Federal aid for construction	2,000,000 00
Balance 1943 electrical installation and maintenance program	145,106 27
Balance by cancellation of signal contract	60,000 00
Balance 1943 bridge operation program	27,634 96
Balance 1943 purchase of plant and equipment program	78,224 96

Balance 1943 administration, engineering, inspection and administration cost of acquiring right-of-way		144,776 94
Balance of statutory increases and war adjustments, highway department		30,109 30
Total		$71,937,370 72
Less:		
Amount transferred to General Fund for general and educational deficiencies	$2,646,583 13	
Amount reserved to continue war adjustments for employees paid from highway fund for period commencing July 1, 1944	490,000 00	
Balance held as reserve for post-war needs, or to meet expenditures of an emergency nature	24,944,622 34	
Total deductions		28,081,205 47
Total revenues and uncommitted balances available for appropriation		$43,856,165 25

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

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State Highway Fund for the several purposes herein specified, for the period from January first, one thousand nine hundred and forty-four, to June thirtieth, one thousand nine hundred and forty-five.

R 1. DEBT SERVICE

Mandatory Dedications:

1930 *Bond Act*		
Principal requirement of highway improvement bonds	$1,620,000 00	
Interest, highway improvement bonds	1,865,162 50	
Principal requirement of institution construction bonds	420,000 00	
Interest, institution construction bonds	464,537 50	
Total debt service on 1930 bond act		$4,369,700 00
Interest on $70,000,000.00 issue:		
Annual requirement for amortization	$1,319,958 50	
Interest on roads, bridges and viaducts bonds	1,412,500 00	
		2,732,458 50
Total debt service		**$7,102,158 50**

Construction and Maintenance of Roads and Bridges

Mandatory Dedications:

R 3. State Aid to Counties and Municipalities

Construction, reconstruction, maintenance, et cetera, of county roads	$12,000,000 00	
Expenditures pursuant to section 27:14–1 of the Revised Statutes	1,470,000 00	
Construction, grading, maintenance, et cetera, of village and township roads	5,250,000 00	
Expenditures pursuant to section 27:15–10 of the Revised Statutes and chapter 218, laws of 1940	1,050,000 00	
Total State aid to counties and municipalities		19,770,000 00

The total appropriation for State aid herein contained is for the calendar years 1944 and 1945. 50% of this appropriation, totaling $9,885,000.00, is made available upon passage of this bill. The balance of $9,885,000.00 is due and payable on January 2, 1945.

Total Mandatory Deductions $26,872,158 50

R 8. State Highway Commissioner

Appropriation:

Administration, Engineering, Inspection and Administration Costs of Right-of-Way

General Administration

Salaries:		
Commissioner	$22,500 00	
Chief Highway Engineer	15,000 00	
Other officers and employees	210,000 00	
Total salaries		$247,500 00
Materials and Supplies:		
Stationery and office supplies	$7,500 00	
Office equipment.....	2,350 00	
Total materials and supplies ..		9,850 00
Services Other Than Personal:		
Traveling expenses ..	$2,700 00	
Telephone and telegraph	7,800 00	
Postage	5,250 00	
Printing, binding, blueprinting, photographing	5,250 00	
Rent of land and buildings — department	2,250 00	
Rent of automobiles from equipment division	10,500 00	
Rent of equipment—mileage	150 00	

Insurance and surety bonds	1,200 00	
Advertising, subscriptions, dues	1,275 00	
Contingent	750 00	
Total services other than personal		37,125 00
Total general administration		$294,475 00

Highway Planning

Salaries:		
Other officers and employees		$28,500 00
Materials and Supplies:		
Stationery and office supplies		375 00
Services Other Than Personal:		
Traveling expenses	$300 00	
Telephone and telegraph	240 00	
Postage	150 00	
Rent of land and buildings — department	2,025 00	
Rent of equipment—mileage	240 00	
Printing, binding, blueprinting, photographing	3,000 00	
Contingent	750 00	
Total services other than personal		6,705 00
Total highway planning		$35,580 00

Laboratory

Salaries:		
Other officers and employees		$199,500 00
Materials and Supplies:		
Heat, light and power	$5,850 00	
Stationery and office supplies	3,000 00	
Office equipment	11,250 00	
Total material and supplies ..		20,100 00
Services Other Than Personal:		
Printing, binding, blueprinting and photographing	$750 00	
Traveling expenses ..	4,500 00	
Telephone and telegraph	1,800 00	
Postage	750 00	
Freight, cartage and storage	1,500 00	
Rent of land and building	360 00	
Rent of land and buildings — department	3,450 00	
Rent of equipment—mileage	1,500 00	
Rent of equipment from equipment divisions	15,000 00	
Advertising, subscriptions, dues	52 50	
Insurance and surety bonds	1,575 00	
Contingent	750 00	
Total services other than personal		31,987 50
Current repairs		2,250 00
Total laboratory		$253,837 50

Construction Division

Salaries:		
Other officers and employees	$1,489,400 00	
Special services	34,000 00	
Total salaries		$1,523,400 00
Materials and Supplies:		
Stationery and office supplies	$11,250 00	
Office equipment	750 00	
Total materials and supplies		12,000 00
Services Other Than Personal:		
Traveling expenses	$15,000 00	
Telephone and telegraph	15,000 00	
Postage	3,000 00	
Rent of land and buildings	9,000 00	
Rent of land and buildings — department	7,500 00	
Rent of equipment—mileage	6,750 00	
Rent of equipment from equipment division	112,500 00	
Advertising, subscriptions, dues	1,500 00	
Printing, binding, blueprinting, photographing	12,000 00	
Contingent	30,000 00	
Total services other than personal		212,250 00
Current repairs		750 00
Total construction division		$1,748,400 00

Projects Division

Salaries:		
Other officers and employees		$300,000 00
Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Office equipment	450 00	
Total materials and supplies		1,950 00
Services Other Than Personal:		
Printing, binding, blueprinting, photographing	$750 00	
Traveling expenses ..	12,000 00	
Telephone and telegraph	3,750 00	
Postage	3,750 00	
Other miscellaneous expenses	150 00	
Rent of equipment—mileage	4,500 00	
Rent of equipment from equipment division	30,000 00	
Total services other than personal		54,900 00
Total projects division		$356,850 00

Right-of-Way Division

Salaries:		
Other officers and employees		$262,500 00
Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Office equipment	750 00	
Total materials and supplies		2,250 00
Services Other Than Personal:		
Printing, binding, blueprinting and photographing	$1,200 00	
Traveling expenses ..	4,500 00	
Telephone and telegraph	3,750 00	
Postage	900 00	
Rent of equipment from equipment division	13,500 00	
Advertising, subscriptions, dues	150 00	
Pension claims award	7,500 00	
Contingent	150 00	
Total services other than personal		31,650 00
Total right-of-way division ...		$296,400 00

Legal Division

Salaries:		
Other officers and employees	$59,129 28	
Temporary or special services	15,870 72	
Total salaries		$75,000 00
Materials and Supplies:		
Stationery and office supplies	$900 00	
Office equipment	450 00	
Total materials and supplies		1,350 00
Services Other Than Personal:		
Traveling expenses	$300 00	
Telephone and telegraph	1,050 00	
Postage	600 00	
Rent of equipment from equipment division	1,500 00	
Advertising, subscriptions, dues	3,000 00	
Contingent	75 00	
Total services other than personal		6,525 00
Total legal division		$82,875 00
Grand total, administration, engineering, inspection and administration costs of right-of-way		$3,068,417 50

Maintenance of State Highway System—		
Maintenance of roads	$3,247,500 00	
Maintenance of bridges	220,500 00	
Landscaping and roadside beautification	330,000 00	
Snow removal	1,110,000 00	
Scales	11,250 00	
Miscellaneous and emergency	267,750 00	
Bridge across State highway 6, located on east side of Huyler street in borough of Teterboro and borough of Little Ferry, Bergen county	20,000 00	
Total maintenance of State highway system		$5,207,000 00

State Highway Lighting and Operation of Bridges

Operation of Draw Bridges:		
Operation of draw bridges	$480,285 00	
Maintenance of draw bridges	60,000 00	
Lighting of draw bridges	50,715 00	
Total operation of draw bridges		$591,000 00

Highway Lighting and Traffic Signals:		
Lighting, State	$274,372 80	
Lighting, municipal aid	377,377 20	
Traffic signals and electric signs, State	181,500 00	
Total highway lighting and traffic signals		833,250 00
Total State highway lighting and operation of bridges ...		$1,424,250 00
Purchase of plant and equipment ..		75,000 00
Institutional roads and approaches, including walks and gutters		247,500 00
Claims:		
Payment of the following claims is hereby authorized to be made from existing appropriations in the highway department:		
Mrs. R. W. Richman	$82 83	
Mrs. Kathryn Thoden	20 00	
N. V. Forster ...	42 00	
William Henry ..	250 00	
City of Jersey City	3,322 72	
Total amount appropriated ..		$10,022,167 50

R 7. MOTOR VEHICLE DEPARTMENT

Salaries:		
Commissioner	$15,000 00	
Other employees	2,054,404 88	
		$2,069,404 88
Materials and Supplies:		
Heat, Light, Power, Water, Gas and Electricity	$17,250 00	
Motor Vehicular transportation supplies	86,250 00	
Replacements of Motor Vehicles	15,000 00	
Stationery and office supplies	57,000 00	
Office equipment replacement	1,000 00	
Replacements and rentals of typewriters (Agents)	6,100 00	
Testing machinery and equipment	2,250 00	
Station and Central Office equipment ..	1,500 00	
Metal and material for markers	250,000 00	
Station cleanser, oil and grease	1,500 00	
Radio System supplies and maintenance ..	5,250 00	
		443,100 00
Current Repairs		11,250 00
Services Other Than Personal:		
Traveling expenses ..	$4,500 00	
Telephone and telegraph	10,500 00	
Rents	163,497 00	

Insurance (other than fire)	5,800 00	
Freight, express and cartage	3,000 00	
Subscriptions	300 00	
Printing, binding, photographing and blueprinting	17,000 00	
Postage	62,500 00	
Miscellaneous expenses	7,125 00	
Addressing postal notices, test stations	19,000 00	
Witness fees	4,125 00	
Safety education	15,000 00	
		312,347 00
Additions and Improvements:		
Filing cabinets		2,000 00
		$2,838,101 88

STATE TAX DEPARTMENT

R 9. MOTOR FUELS TAX DIVISION

Salaries:		
Director	$9,750 00	
Compensation for assistants	363,540 00	
		$373,290 00
Materials and Supplies:		
Stationery and office supplies	$2,700 00	
Retail dealers license plates or Decalcomanias	1,125 00	
Vehicular transportation supplies	18,000 00	
		21,825 00

Services Other Than Personal:		
Postage and expressage	$6,900 00	
Miscellaneous expense	825 00	
Traveling expenses	6,000 00	
Printing, binding, photographing and blueprinting	2,625 00	
Patrol boat crew expenses	2,400 00	
Maintenance of patrol boat	3,750 00	
Rents	19,530 00	
Insurance (other than fire)	3,900 00	
Insurance (fire)	300 00	
Court costs	150 00	
Telephone and telegraph	4,350 00	
		50,730 00
Unclassified:		
The Comptroller of the Treasury is hereby authorized and empowered to pay any refund of motor fuel taxes, upon proper approval, pursuant to chapter 39 of Title 54 of the Revised Statutes, and the State Treasurer is directed to pay warrants issued therefor by the Comptroller.		
		$445,845 00

R 4. Board of Commerce and Navigation

Expenditure for construction, reconstruction, maintenance and improvement of inland waterways	$202,500 00

Expenditure for bulkheading Manasquan canal	75,000 00	
Dredging inland waterways	94,500 00	
Beach protection along Atlantic coast, provided thirty per centum (30%) is appropriated in conjunction thereto by each municipality allotted a part of the State appropriation for new projects; *provided, however,* the Board of Commerce and Navigation may use out of this appropriation a sum not to exceed $150,000.00 for protection and maintenance of projects already constructed, and toward which the municipality has contributed in the past two years their allotted share as provided for in the appropriated items for beach erosion without any further appropriation in conjunction thereto by the municipality	375,000 00	
		$747,000 00

R 5. Delaware River Joint Toll Bridge Commission

Appropriation:	
Maintenance of free bridges now or to become State property, including improvements	$167,441 62
All moneys received from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania for its proportion of maintenance of said bridges, is hereby appropriated to the said commission to be used by them for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the earnings of said bridges.	
Any unexpended balance, including receipts from Pennsylvania and rental receipts, is hereby reappropriated.	

R 15. Department of State Police

There is hereby appropriated for transfer to the General State Fund, being 50% of the amount appropriated in the State Fund Appropriation Act for the fiscal year ending June 30, 1945, for the operation and maintenance of the Department of State Police, the sum of ..	$830,141 35

R 16. State Employees' Retirement System

Contribution applicable to State Highway System Fund	$351,270 00

R 17. DELAWARE AND RARITAN CANAL MAINTENANCE

Expenses necessary to maintain the bridges over the Delaware and Raritan Canal	$13,000 00

R 22. COMPENSATION AWARDS

For the State House Commission to pay compensation awards allowed State employees in departments other than the State Highway Department but related to the State Highway Fund	$7,500 00

R 25. TEACHERS' PENSION AND ANNUITY FUND

To pay to the Teachers' Pension and Annuity Fund out of the receipts of license fees, whether vehicular or driver, one-fifth of the sum certified as due and payable to that fund on July 1, 1943, pursuant to chapter 190, laws of 1942	$1,266,556 00	
Interest	189,983 40	
		$1,456,539 40

R 27. War Adjustments

To the Treasurer for war adjustments of employees paid from State Highway Fund for the period from January 1, 1944, to June 30, 1944 ..	$105,000 00
The unexpended balance of $20,000.00 in this account as of January 1, 1944, is hereby reappropriated.	
In connection with the payment to employees of the Delaware River Joint Toll Bridge Commission, this represents additional compensation in lieu of further salary increases.	
Total mandatory dedications and appropriations	$43,856,165 25

2. The appropriations herein made are for the period from January first, one thousand nine hundred and forty-four, to June thirtieth, one thousand nine hundred and forty-five. The appropriations herein made for debt service and for State aid to counties and municipalities under R 3 above shall not lapse by reason of the expiration of said period. The appropriations herein made other than those for debt service and State aid to counties and municipalities under R 3 above shall be available for expenditure during the period ending June thirtieth, one thousand nine hundred and forty-five, and for a period of two months thereafter to pay obligations incurred during said period only. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under an appropriation of the previous year or years. Appropriation period.

3. Any additional allotments of funds which may be made by the Federal Government to the State of New Jersey, are hereby appropriated for the purposes for which such moneys are allocated, and Additional allotments.

the State Highway Commissioner is hereby authorized to carry out such projects as may be designated by the Federal Government.

Specifically appropriated.

4. No money shall be drawn from the State Highway System Fund except for objects as hereinabove specifically appropriated and except such sums as may be required to refund amounts credited to the State Highway System Fund which do not represent State revenues.

War emergency fund.

5. All revenues in excess of anticipated revenues shall constitute a war emergency fund subject to legislative appropriation.

Comptroller of treasury.

6. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department, to transfer such appropriations to such department as shall be charged with the responsibility of administering the functions of such department so transferred as aforesaid.

Effective.

7. This act shall take effect immediately and shall be retroactive as of January first, one thousand nine hundred and forty-four, and all expenditures made up to the time of the passage of this act, under the provisions of section 52:22–20 of the Revised Statutes, shall be charged against the amounts herein appropriated.

Approved April 17, 1944.

CHAPTER 145

AN ACT appropriating seventeen thousand dollars ($17,000.00) to the Board of Conservation and Development for the acquisition of a forest park reservation in the county of Cape May.

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

1. There is appropriated the sum of seventeen thousand dollars ($17,000.00) to the Board of Conservation and Development for the acquisition from the owners of the East Creek Game Preserve, located in the township of Dennis, county of Cape May, State of New Jersey, a certain property known as the East Creek Game Preserve, which consists of approximately eleven hundred acres of land and one hundred acres of lake bottom, including all the structures thereon. Appropriation.

2. This act shall take effect immediately.

Approved April 17, 1944.

CHAPTER 146

AN ACT concerning the Teachers' Pension and Annuity Fund, and amending section 18:13–25 and section 18:13–78 of the Revised Statutes.

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

1. Section 18:13–25 of the Revised Statutes is amended to read as follows: Section amended.

18:13–25. As used in this article:

"Accumulated deductions" means the total of the amounts deducted from the salary of a contributor and credited to his individual account in Accumulated deductions.

the annuity savings fund together with the interest thereon. Regular interest shall be computed and allowed on such total or part thereof when used for the purchase from the retirement system of a retirement annuity. Interest at the rate of three and one-half per centum (3½%) per annum, compounded annually shall be computed and allowed on such total amounts or part thereof when withdrawn for the purpose of providing the benefit for death before retirement under section 18:13–67. One-half of the interest at the regular rate shall be computed and allowed on such totals or part thereof when withdrawn for the purpose of providing the benefit on withdrawal for any cause, other than death or retirement, under section 18:13–65, except that interest on amounts so withdrawn which were contributed prior to July first, one thousand nine hundred and forty-four shall be computed and paid at the rate of three and one-half per centum (3½%) per annum compounded annually for the period prior to July first, one thousand nine hundred and forty-four.

Annuity. "Annuity" means payments for life derived from contributions made by a contributor as provided in this article. All annuities shall be paid in monthly installments.

Annuity reserve. "Annuity reserve" means the present value, computed on the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest, of the future payments to be made on account of any annuity granted to a member.

Average salary. "Average salary" means the average annual salary earnable by and as a teacher for the last five years preceding retirement.

Beneficiary. "Beneficiary" means any person in receipt of a retirement allowance or other benefit as provided in this article.

Board of trustees. "Board of trustees" means the board provided for in section 18:13–28 of this Title.

Contributor. "Contributor" means any person who has an account in the annuity savings fund.

"Employer" means the State or the school district, normal school district, board or other agency of and within the State by which the teacher is paid. Employer.

"New-entrant" means any teacher who is a member of the retirement system, except a present-entrant. New-entrant.

"Pension" means annual payments for life derived from the pension fund or from the pension reserve fund as provided in this article. All pensions shall be paid in monthly installments. Pension.

"Pension reserve" means the present value, computed on the basis of such mortality tables as shall be adopted by the board of trustees, with regular interest, of the future payments to be made on account of any pension granted to a member. Pension reserve.

"Present-entrant" means any teacher who is a member of the retirement system under the provisions of class "B," "C," "D" or "E" under section 18:13–37 of this Title. Present-entrant.

"Prior service," as applied to present-entrants, means service rendered as a teacher either within or without the State prior to September first, one thousand nine hundred and nineteen. "Prior service," as applied to new-entrants, means service rendered as a teacher either within or without the State prior to the date of becoming a member of the fund. For purposes of credits, prior service outside the State as applied either to present-entrants or to new-entrants shall be construed absolutely and not proportionately, within the limits otherwise provided for in this article. Prior service.

"Regular interest" means interest at four per centum (4%) per annum, compounded annually. Regular interest.

"Retirement allowance" means the pension plus the annuity. Retirement allowance.

"Retirement system" means the "teachers' pension and annuity fund," created as provided in section 18:13–26 of this Title. Retirement system.

"School apportionment fund" means the moneys retained in the State treasury to be apportioned to the several counties of the State by the comptroller School apportionment fund.

for school purposes, as defined in sections 18:10–30 to 18:10–32 of this Title.

School service.

"School service" means any service as a "teacher" as defined in this section.

School year.

"School year" means the official school year of the school district or the institution in which a teacher is employed.

Teacher.

"Teacher" means any regular teacher, special teacher, helping teacher, teacher-clerk, principal, vice-principal, supervisor, supervising principal, director, superintendent, city superintendent, assistant city superintendent, county superintendent, State Commissioner or assistant commissioner of education and other member of the teaching or professional staff of any class, public school, high school, normal school, model school, training school, vocational school, truant reformatory school, or parental school, and of any and all classes or schools within the State conducted under the order and superintendence, and wholly or partly at the expense of the State Board of Education, of a duly elected or appointed board of education, board of school directors, or board of trustees of the State or of any school district or normal school district thereof, and any such person under contract or engagement to perform one or more of these functions. No person shall be deemed a teacher within the meaning of this article who is a substitute teacher or is a teacher not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods. In all cases of doubt the board of trustees shall determine whether any person is a teacher as defined in this article.

Additional person come under provisions.

In addition to the above-mentioned persons defined as teachers, there shall also come under the provisions of this article, for pension and annuity purposes, and subject to the same provisions as apply to teachers, any janitor, assistant janitor, janitress, engineer, fireman or any janitorial employees of a board of education of any school district, or of any public school, high school, normal

school, model school, training school, vocational school, truant reformatory school or parental school within the State.

"Teachers' retirement fund" means the teachers' retirement fund of this State as created by L. 1896, c. 32; L. 1899, c. 178; L. 1900, c. 96; L. 1902, c. 36; L. 1903 (2d Sp. Sess.), c. 1; L. 1905, c. 95; L. 1906, c. 314; L. 1907, c. 139; and the amendments thereof and supplements thereto. Teachers' retirement fund.

2. Section 18:13–78 of the Revised Statutes is amended to read as follows: Section amended.

18:13–78. The accumulated deductions of a contributor withdrawn, as provided in this article, shall be paid out of the annuity savings fund. In the case of a withdrawal, an amount equivalent to the difference between the amount of the accumulated deductions calculated at regular interest and the amount of the accumulated deductions calculated by use of interest allowed at withdrawal shall be transferred to the expense fund. Deductions withdrawn.

3. This act shall take effect immediately.

Approved April 17, 1944.

CHAPTER 147

AN ACT concerning savings banks, amending section 17:6–21 and repealing section 17:6–21.1 of the Revised Statutes.

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

1. Section 17:6–21 of the Revised Statutes is amended to read as follows : Section amended.

17:6–21. (a) The words "savings bank" as used in this section shall include all savings banks and institutions for savings howsoever chartered or incorporated including any savings bank organized under a special charter as a stock company pre- The words "savings bank."

vious to March eighth, one thousand eight hundred and seventy-seven.

Authorized to retire officer.

(b) Every savings bank is authorized to retire any officer, clerk or other employee thereof (hereinafter called "pensioner") who has served it in any capacity for a period of not less than fifteen years and has attained the age of not less than sixty years, or who has served it in any capacity for a period of not less than fifteen years and has become incapacitated by any cause for further service in his office or position, and to pay him or her a pension or retirement allowance (hereinafter called "pension") for the remainder of his life or such lesser period as it may fix, with power to extend the latter from time to time.

Amount pension.

(c) The amount of the pension shall be such as shall be deemed reasonable, based on the character and length of service rendered and other relevant circumstances, but shall not exceed sixty per centum (60%) of the average annual salary paid during the last thirty-six months of service preceding retirement or two per centum (2%) of such average annual salary multiplied by the number of years of service, whichever is lesser.

Authority to grant pensions.

(d) The authority to grant such pensions, and to decide all matters pertaining to the amount, terms, time and manner of paying or making provision for payment thereof, shall be vested in the board of managers or other governing body of the savings bank, which shall have power to delegate the administration thereof to an executive committee or other special committee, subject to supervision by the board and the exercise by it of ultimate responsibility therefor.

Authorized to set aside reserves.

The savings bank is authorized to enter into or to continue, and from time to time modify, existing insurance, group annuity, or like contracts, contributory or otherwise, or to establish and set aside reserves, in order to provide for the cost of such pensions.

(e) Any savings bank which has heretofore retired any officer, clerk or other employee in accordance with the provisions of law and is now paying a pension to him or her is authorized to continue payment thereof during his or her lifetime. Continue payment.

(f) Any savings bank which is now lawfully paying or shall hereafter lawfully pay any pension is authorized to continue to pay or contribute to the payment of any premium for carrying insurance on the life of such pensioner during his or her life, and is not required to make any deduction from such pension for the cost of any such premium so paid, or theretofore paid by it. Continue payment.

(g) In determining the eligibility hereunder of any officer, clerk or employee of any savings bank merged or consolidated under article ten of this chapter (§17:6–72 et. seq.), for retirement, the period of service or employment of the officer, clerk or employee in either of the merging or consolidating savings banks shall be given the same effect as if the officer, clerk or employee had been in the service or employ of the merged or consolidated savings bank during the same period. Determining eligibility.

(h) In determining the eligibility hereunder of any officer, clerk or employee for retirement, neither the period or periods during which the officer, clerk or employee shall, in time of war or an emergency, be absent and serving in the military or naval service or in the Coast Guard or Merchant Marine of the United States or in any auxiliary or reserve corps serving therewith, or engaged in any war work by enlistment or induction under any Selective Service or similar statute of the United States or of the State of New Jersey, or engaged in any war relief, social service or other activity related to war conditions with leave of the bank, or, in time of peace, be absent on leave and engaged in training or temporary service of a similar character in accordance with any such statute, nor a period not exceeding three months after his or her Determining eligibility.

discharge from active service, nor a period not exceeding one year of incapacity as a result of such active service, shall be excluded from the period of his or her service or employment in such savings bank.

Pension subject to execution.

(i) Any pension or allowance payable under the provisions of this section shall be subject to execution, attachment, garnishment or other legal process only to the extent and by the same procedure as provided by law in respect to execution upon or garnishment of wages or other earnings, and shall not be assignable or subject to advancement; *provided, however,* that, in the discretion of the savings bank paying the same, all or a portion thereof may be paid in accordance with the written order of the pensioner, or, in case of his disability, be applied for his or her use or benefit or that of his or her immediate family.

Proviso.

Commissioner to have power to reduce amount.

(j) Notwithstanding any other provision of this section, if it shall appear to the commissioner that any payment hereafter to be made by any such savings bank as or for any pension or retirement allowance, or as or for any benefit under any insurance, group annuity or other contract, or as or for any life insurance carried on the life of any officer, clerk or other employee, or former officer, clerk or other employee, of any savings bank, is excessive, the commissioner shall have the power to require that any payment so hereafter to be made by it be reduced to such amount as he shall deem reasonable.

Section repealed.

2. Section 17:6–21.1 of the Revised Statutes is repealed.

3. This act shall take effect immediately.

Approved April 17, 1944.

CHAPTER 148

AN ACT concerning the investment of moneys by the State Treasurer in certain cases.

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

C. 52:18-25.1. State Treasurer may invest.

1. In any case in which the State Treasurer holds moneys of the State under a requirement that said moneys be held for a particular time or be held for a particular use, he may invest such moneys in bonds or notes of the United States until such particular time has arrived or until such time as said moneys are required to be applied to the particular use.

2. This act shall take effect immediately.

Approved April 17, 1944.

CHAPTER 149

AN ACT to amend "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May seventeenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 197).

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

Section amended.

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

C. 45:4-46. Board of barber examiners.

20. Board of Barber Examiners. The Board of Barber Examiners to consist of four (4) persons

and is hereby created to carry out the purposes and to enforce the provisions of this act. Said members of the board shall be appointed by the Governor as follows: At least two (2) of the appointees shall be journeymen barbers and two (2) appointees shall be master barbers. One journeyman barber and one master barber respectively shall be recommended by the State Association of Journeymen and Master Barbers, respectively. The other two (2) appointees shall be the choice of the Governor. Each member of said board shall have for at least ten (10) years prior to their appointment followed said occupation as a barber and have been a resident of the State of New Jersey for a period of ten (10) years. The two members of the board appointed to succeed the two members whose terms expire in one thousand nine hundred and forty-four shall be appointed one for a term of three years and one for a term of four years and each member of said board appointed thereafter shall hold office for a term of four years and until his successor is appointed and qualifies. Vacancies occurring otherwise than by expiration of term shall be filled for the unexpired term only. Any member of the board may be removed by the Governor for cause.

Vacancies.

2. This act shall take effect immediately.

Approved April 17, 1944.

CHAPTER 150

AN ACT making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-five, and regulating the disbursement thereof.

ANTICIPATED REVENUES OF THE GENERAL STATE FUND FOR THE FISCAL YEAR 1944-45

Estimated surplus, July 1, 1944....	$7,902,967 63

Revenues

Transfer inheritance taxes	$7,000,000 00
Main Stem and Franchise-excise taxes	12,300,000 00
Miscellaneous corporation taxes ..	3,000,000 00
Foreign corporation taxes	375,000 00
Beverage taxes	7,000,000 00
Beverage licenses	450,000 00
Foreign insurance corporation taxes	2,900,000 00
Fertilizer inspection fees, et cetera	70,000 00
Department of Banking and Insurance	1,000,000 00
Commissioner of Finance	2,000 00
Secretary of State	175,000 00
Clerk in Chancery	300,000 00
Clerk of the Supreme Court	85,000 00
Interest on deposits	1,500 00
Real Estate Commission	90,000 00
Department of State Police	500 00
State Board of Beauty Culture Control	60,000 00
Board of Barber Examiners	26,000 00
Commissions	55,000 00
Judicial fees	15,000 00
Board of Commerce and Navigation	6,000 00

Shell fisheries	27,500 00
Department of Labor	80,000 00
Dividends	18,870 00
Athletic Commissioner	40,000 00
State Department of Local Government	75,000 00
Department of Health	125,000 00
Tenement House Supervision	10,000 00
Department of Conservation and Development	15,000 00
State Tax Department, Public Utility Division	16,040 00
Department of Weights and Measures	65,000 00
Academic Certificate Fund	15,000 00
Manual Training and Industrial School for Colored Youth	65,000 00
School for the Deaf	2,300 00
State Teachers College, Glassboro:	
Extension course fees	8,400 00
Tuition fees	27,000 00
Dormitory fees	40,000 00
State Teachers College, Jersey City:	
Extension course fees	20,000 00
Tuition fees	30,000 00
State Teachers College, Newark:	
Extension course fees	28,500 00
Tuition fees	31,600 00
State Teachers College, Paterson:	
Extension course fees	16,000 00
Tuition fees	20,800 00
State Teachers College, Montclair:	
Extension course fees	28,000 00
Tuition fees	57,000 00
Dormitory fees	72,000 00
State Teachers College, Trenton:	
Extension course fees	12,000 00
Tuition fees	62,000 00
Dormitory fees	120,000 00
State Board of Examiners	16,000 00
Agricultural Experiment Station	65,000 00
Department of Agriculture	9,000 00

State Employees' Retirement System	2,500 00
Rehabilitation Commission	7,500 00
Colony for Feeble-Minded Males, New Lisbon	165,000 00
Colony for Feeble-Minded Males, Woodbine	135,000 00
Home for Disabled Soldiers, Menlo Park	14,600 00
Home for Disabled Soldiers, Vineland	16,000 00
North Jersey Training School, Totowa	125,000 00
Reformatory, Annandale	2,000 00
Reformatory, Rahway	500 00
Sanatorium for Tuberculous Diseases	125,000 00
State Home for Boys	3,000 00
State Home for Girls	1,500 00
State Hospital, Greystone Park	1,130,000 00
State Board of Children's Guardians	132,265 00
State Hospital, Marlboro	480,000 00
State Hospital, Trenton	620,000 00
State Prison	500 00
Village for Epileptics	277,500 00
Vineland State School	232,500 00
Miscellaneous Sources	50,000 00
Total revenues	$39,649,375 00

Transfers

State Water Policy Commission, from Water Supply Fund	$100,000 00
Rehabilitation Commission, from Federal Aid	300,315 28
Amount transferred from State Highway Fund for the following purpose:	

General State Fund for General Purposes and Educational Deficiencies	2,646,583 13
Total transfers	$3,046,898 41
Total anticipated in the State Fund	$50,599,241 04
Transfer from State Fund to Municipal Aid Fund	$794,494 02
Amount Reserved to meet cost of bonus payment	1,200,000 00
Balance held as reserve for post-war needs, or to meet expenditures of an emergency nature	832,846 14
Total available for State Fund Appropriation	47,771,900 88
	$50,599,241 04

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

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and forty-five, and shall be available for expenditure during said fiscal year, and for a period of two months thereafter to pay obligations incurred during said fiscal year only. At the expiration of said two months' period all unexpended balances, unless specifically held by contracts on file with the Comptroller of the Treasury, shall lapse into the State treasury, or in case of appropriations from special funds shall lapse to the credit of such special funds.

A. Executive and Administrative

A 1. Department of Law

Salaries:		
Attorney-General ...	$15,000 00	
Second Assistant Attorney-General	12,000 00	
Compensation for other assistants ...	95,119 84	
		$122,119 84
Materials and Supplies:		
Motor vehicular transportation supplies..	$1,600 00	
Stationery and office supplies	700 00	
Office equipment replacement	150 00	
Law books	500 00	
		2,950 00
Services Other Than Personal:		
Traveling expenses ..	$400 00	
Miscellaneous expenses	700 00	
Insurance (other than fire)	60 00	
Expenses in connection with escheat cases	200 00	
		1,360 00

Division of Securities

Salaries:		
Assistant Attorney-General	$7,500 00	
Assistant Attorney-General	4,700 00	

Compensation for clerks and stenographers	9,284 00	
		21,484 00
Materials and Supplies:		
Stationery and office supplies		300 00
Services Other Than Personal:		
Expenses of investigations		5,000 00

In addition to the above, there will be available to the Department of Law all sums appropriated by this Appropriation Act and by the State Highway Fund Appropriation Act, to the several departments and agencies for legal services and costs as determined by the Attorney-General, the amount in each case to be determined from the records of the Commissioner of Finance which have been kept in connection with the requests for such appropriations made by the said departments and agencies, the recommendations made by the Governor thereon and the action by the Joint Appropriation Committee. At the beginning of the fiscal year commencing July 1, 1944, all such sums shall be transferred by the Comptroller on the certificate of the Finance Commissioner to the Department of Law from the several departments, to which appropriations are made, in order to provide the funds to carry out the intent of Chapter 20 of the Laws of 1944 during the fiscal year ending June 30, 1945.

$153,213 84

A 2. BUDGET COMMISSION

Salaries:		
Budget Commissioner	$10,000 00	
Chief Auditor	3,600 00	
Compensation for assistants	8,352 00	
		$21,952 00
Materials and Supplies:		
Stationery and office supplies	$250 00	
Vehicular transportation supplies	350 00	
		600 00
Services Other Than Personal:		
Printing	$3,000 00	
Miscellaneous expenses	584 00	
		3,584 00
		$26,136 00

A 3. CIVIL SERVICE COMMISSION

Salaries:		
Commissioners	$19,000 00	
Chief examiner and secretary	10,000 00	
Compensation for other officers and employees	216,374 04	
		$245,374 04

Materials and Supplies:		
Stationery and office supplies	$11,000 00	
Office equipment replacement	3,000 00	
Vehicular transportation supplies	1,498 00	
		15,498 00
Services Other Than Personal:		
Traveling expenses	$3,000 00	
Advertising	2,000 00	
Rents	1,500 00	
Garage rent	420 00	
Insurance (other than fire)	82 00	
Miscellaneous expenses	750 00	
		7,752 00
		$268,624 04

A 4. Comptroller's Department

Salaries:		
Comptroller	$10,000 00	
Chief clerk and deputy comptroller	7,500 00	
Assistants and clerical services	99,066 56	
		$116,566 56
Materials and Supplies:		
Stationery and office supplies		4,000 00

Services Other Than Personal:		
Insurance (other than fire)	$300 00	
Traveling expenses ..	750 00	
Miscellaneous expenses	1,600 00	
		2,650 00
		$123,216 56

A 5. Commissioner of Finance

Salaries:		
Commissioner	$10,000 00	
Deputy commissioner	5,200 00	
Compensation for assistants and services pursuant to R. S. 52:23–16	27,304 00	
		$42,504 00
Materials and Supplies:		
Stationery and office supplies	$650 00	
Vehicular transportation supplies	150 00	
		800 00
The balance in the reclamation expense account as of June 30, 1944, is hereby reappropriated.		
Services Other Than Personal:		
Other miscellaneous expenses		500 00

Capitol Post Office

Salaries:		
Compensation for employees		18,006 00
Materials and Supplies:		
Vehicular transportation supplies	$200 00	
Stationery and office supplies	300 00	
		500 00
Services Other Than Personal:		
Postage	$159,140 00	
Insurance and surety bonds	160 00	
		159,300 00

Telephone and Telegraph

Salaries:	
Compensation for operators and employees	31,457 28
Services Other Than Personal:	
Telephone and telegraph	114,695 00
	$367,762 28

A 6. Emergency Fund

For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental personal expense or the expenses of commissioners appointed by him under statute, or in his discretion	$10,000 00

A 7. EXECUTIVE DEPARTMENT

Salaries:		
Governor	$20,000 00	
Secretary to Governor	10,000 00	
Compensation for assistants	45,540 00	
		$75,540 00
Materials and Supplies:		
Stationery and office supplies	$2,000 00	
Vehicular transportation supplies	3,000 00	
		5,000 00
Services Other Than Personal:		
Miscellaneous expenses		1,300 00
Extraordinary Expenditures:		
To enable the Governor to carry out the provisions of chapter 16, laws of 1941		25,000 00
		$106,840 00

A 8. SECRETARY OF STATE

Salaries:		
Secretary	$10,000 00	
Chief clerk	7,500 00	
Compensation for assistants	49,156 00	
		$66,656 00
Materials and Supplies:		
Stationery and office supplies	$8,000 00	
Vehicular transportation supplies	400 00	
		8,400 00

Services Other Than Personal:		
Traveling expenses ..	$250 00	
Printing copies of Error Court Rule	400 00	
Printing copies of Corporation Act ..	3,000 00	
Election expenses	26,500 00	
Photostating copies of certificates of incorporation	1,500 00	
		31,650 00
		$106,706 00

A 9. State Auditor's Department

Salaries:		
State Auditor	$7,500 00	
Compensation for assistants	91,422 00	
		$98,922 00
Materials and Supplies:		
Stationery and office supplies	$500 00	
Office equipment replacement	300 00	
		800 00
Services Other Than Personal:		
Traveling expenses ..	$7,500 00	
Printing and binding.	100 00	
Miscellaneous expenses	175 00	
		7,775 00
		$107,497 00

A 10. STATE HOUSE COMMISSION

Salaries:		
Custodian, State House	$5,200 00	
Superintendent of State House Annex and State Office Building	4,700 00	
Compensation for assistants and helpers	238,878 80	
		$248,778 80
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$60,500 00	
Stationery and office supplies, furniture and office equipment	2,500 00	
Other materials and supplies	18,000 00	
		81,000 00
Current repairs		27,000 00
Services Other Than Personal:		
Insurance (other than fire)	$950 00	
Freight and express	100 00	
Maintenance of Stacy Park and Capitol and annex grounds	4,000 00	
Miscellaneous expenses	500 00	
		5,550 00
Rentals for State Departments in Newark:		
Industrial Office Building	$130,366 00	

Rentals for State Departments in Trenton:	
Department of Agriculture	15,500 00
State Employees' Retirement System ...	4,140 00
Department of Labor.	21,300 00
Rental for building for State exhibits at Trenton Fair	5,000 00
Department of Conservation and Development	780 00
State Tax Department, Beverage Tax Division	3,300 00
State Tax Department, Engineer's Division	4,680 00
State Planning Board	1,800 00
Old Age Assistance Commission	4,200 00
Department of Local Government	5,154 00
Department of Aviation	900 00
State Racing Commission	1,584 00
State Board of Beauty Culture Control ...	2,712 00
Chancellor — Storage and Filing Space ..	900 00
Rentals in Other Cities:	
Associate Justices of Supreme Court offices, Camden, Jersey City, Atlantic City, Somerville, Morristown, Millburn and Montclair	7,110 00

Rooms for Courts, Atlantic City, Jersey City, Camden, Elizabeth, Toms River and Newton	46,877 00	
State Board of Children's Guardians, Trenton, Jersey City, Morristown and Paterson	9,513 00	
Labor Department (Jersey City, Paterson, etc.)	8,880 00	
		274,696 00
		$637,024 80

A 11. Treasurer's Department

Salaries:		
Treasurer	$10,000 00	
Cashier and deputy treasurer	6,000 00	
Compensation for other assistants ...	56,054 00	
		$72,054 00
Materials and Supplies:		
Vehicular transportation supplies	$500 00	
Stationery and office supplies	1,500 00	
Office equipment replacement	150 00	
		2,150 00
Current repairs		750 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Rent of equipment ..	1,100 00	
Insurance (other than fire)	2,426 00	
Miscellaneous expenses	500 00	
		4,526 00
		$79,480 00

A 12. State Purchase Commissioner

Salaries:		
State Purchase Commissioner	$7,000 00	
Chief clerk	5,600 00	
Compensation of assistants and clerical services	102,008 00	
		$114,608 00
Materials and Supplies:		
Heat, light, power and water rent	$4,000 00	
Household supplies ..	300 00	
Vehicular transportation supplies	2,500 00	
Stationery and office supplies	5,000 00	
Office equipment	500 00	
Laboratory testing supplies	100 00	
		12,400 00
Current repairs		1,000 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Insurance (other than fire)	2,060 46	
Freight, express and cartage	150 00	
Advertising	2,000 00	
Subscriptions	300 00	
Miscellaneous expenses	400 00	
		5,410 46
		$133,418 46

A 12. State Purchasing Department
Printing

Services Other Than Personal:		
Legislative printing .	$50,000 00	
Printing and binding public documents ..	2,000 00	
Printing and circulating laws	8,000 00	
Binding chancery and law reports	6,300 00	
		$66,300 00

A 13. State Athletic Commissioner

Salaries:		
Commissioner	$5,200 00	
Compensation for other assistants ...	23,280 00	
		$28,480 00
Materials and Supplies:		
Stationery, office supplies and equipment		500 00

Services Other Than Personal:		
Traveling expenses, telephone and incidentals		2,150 00
		$31,130 00

A 14. State Department of Local Government

Salaries:		
Commissioner	$10,000 00	
Members of board ..	18,800 00	
Supervising auditor and secretary	7,000 00	
Other employees	105,862 00	
		$141,662 00
Materials and Supplies:		
Stationery and office supplies	$2,100 00	
Office equipment replacement	800 00	
		2,900 00
Services Other Than Personal:		
Traveling expenses ..	$21,000 00	
Printing and binding	6,000 00	
Miscellaneous expenses	1,800 00	
		28,800 00
		$173,362 00

B. Legislative

B 1. Legislature

Salaries:		
Senators and members of General Assembly	$40,833 32	
Compensation for officers and employees	45,450 00	
		$86,283 32
Materials and Supplies:		
Manuals of the Legislature		4,000 00
Services Other Than Personal:		
Indexing Journal and Minutes and other incidental and contingent expenses		82,500 00
		$172,783 32

B 4. Legislative Veterans Commission

Salaries and expenses of the Commission appointed pursuant to Concurrent Resolution No. 1, 1942	$2,500 00

C. Judicial

C 1. Clerk in Chancery

Salaries:		
Clerk in Chancery ...	$6,000 00	
Chief clerk	5,500 00	
Compensation for assistants	109,290 21	
		$120,790 21

Materials and Supplies:		
Stationery and office supplies	$7,000 00	
Office equipment replacement	500 00	
		7,500 00
Services Other Than Personal:		
Premium on surety bonds	$500 00	
Miscellaneous expenses	800 00	
		1,300 00
		$129,590 21

C 2. Clerk of the Supreme Court

Salaries:		
Clerk of the Supreme Court	$6,000 00	
Chief clerk	5,500 00	
Compensation for assistants	47,090 40	
		$58,590 40
Materials and Supplies:		
Stationery and office supplies	$2,600 00	
Office equipment replacement	400 00	
		3,000 00
Services Other Than Personal:		
Miscellaneous expenses		1,025 00
		$62,615 40

C 3. COURT OF CHANCERY

Salaries:		
Chancellor	$19,000 00	
Vice-Chancellors	180,000 00	
Secretaries to Vice-Chancellors	24,400 00	
Chancellor's secretary	2,700 00	
Compensation and traveling expenses of sergeants-at-arms	42,640 00	
Compensation and allowance of Advisory Masters and their official stenographers	23,528 00	
Compensation of stenographers, and for services pursuant to R. S. 2:2–25 and 2:2–28	57,700 00	
Compensation of law assistants to Vice-Chancellors	17,400 00	
		$367,368 00
Materials and Supplies:		
Stationery and office supplies	$3,500 00	
Library supplies	1,500 00	
Office equipment replacement	500 00	
Vehicular transportation supplies	400 00	
		5,900 00

Services Other Than Personal:		
Traveling expenses for casual court attendants	$250 00	
Miscellaneous expenses	250 00	
		500 00
		$373,768 00

C 4. Court of Errors and Appeals

Salaries:		
Compensation of judges of the Court of Errors and Appeals, at $40.00 per diem	$54,000 00	
Compensation of officers	3,600 00	
		$57,600 00
Services Other Than Personal:		
Printed or typewritten copies of draft of opinions of the Lay Judges	$1,500 00	
Binding state of cases, briefs, et cetera, and printing list of causes, et cetera	1,500 00	
		3,000 00
		$60,600 00

C 5. COURT OF PARDONS

Salaries:		
Compensation of judges of the Court of Pardons, at $20.00 per diem ...	$3,600 00	
Compensation of clerk and stenographer ..	2,960 00	
		$6,560 00
Materials and Supplies:		
Stationery and office supplies		300 00
Services Other Than Personal:		
Miscellaneous expenses		75 00
		$6,935 00

C 6. COMMISSION ON STATUTES

Expenses of the commission appointed pursuant to the provisions of chapter 91, laws of 1939.	
Salaries	$38,688 00
Materials and supplies	2,800 00
Services other than personal	2,100 00
	$43,588 00

C 7. LAW AND EQUITY REPORTS

Salaries:		
Chancery reporter ...	$500 00	
Supreme Court reporter	500 00	
		$1,000 00

Services Other Than Personal:		
Publication of chancery reports	$9,000 00	
Publication of law reports	9,000 00	
		18,000 00
		$19,000 00

C 8. Stenographic Reporters

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to R. S. 2:16–21 ..	$58,133 25

C 9. Supreme Court

Salaries:		
Chief Justice	$19,000 00	
Associate justices ...	144,000 00	
Circuit court judges..	224,000 00	
Salaries of secretaries to justices of the Supreme Court, pursuant to R. S. 2:4–13	19,800 00	
Compensation for assistants	2,100 00	
Board of Bar Examiners, salary of members, secretary, assistant secretary and messenger	17,150 00	
		$426,050 00

Materials and Supplies:		
Stationery and office supplies	$350 00	
Educational and library supplies	3,000 00	
		3,350 00
Services Other Than Personal:		
Expenses of Board of Bar Examiners incurred by court order, including disbarment proceedings		2,500 00
		$431,900 00

C 10. JUDICIAL COUNCIL

Salaries:		
Secretary	$1,500 00	
Materials and Supplies:		
Stationery and office supplies	50 00	
Services Other Than Personal:		
Printing	300 00	
		$1,850 00

D. REGULATIVE

D 1. BOARD OF COMMERCE AND NAVIGATION

Salaries:		
Director	$4,500 00	
Other assistants, public hearings, searches, surveys, witnesses on trespasses, et cetera ...	60,454 00	
		$64,954 00

Materials and Supplies:		
Stationery and office supplies	$2,500 00	
Heat, light, power, water, gas and electricity	3,558 76	
Household supplies	600 00	
Drugs, medical and chemical supplies	300 00	
Photographing, blueprinting and drafting supplies	1,500 00	
Engineering supplies	1,300 00	
Motor boat transportation supplies	7,000 00	
Motor vehicular transportation and supplies	2,500 00	
Office equipment replacement	574 00	
Clothing	450 00	
		20,282 76
Current repairs		10,000 00
Services Other Than Personal:		
Traveling expenses	$3,800 00	
Rents	9,003 80	
Insurance (other than fire)	5,000 00	
Expenses in connection with riparian surveys and study and plans for beach protection measures	1,400 00	
Miscellaneous expenses	1,200 00	
Advertising for bids and legal notices	1,600 00	
Subscriptions and membership fees	200 00	
		22,203 80

Expenditures for Waterways:		
Lights and buoys	$2,950 00	
Maintenance navigation lights, Cape May - Manasquan River	2,950 00	
Maintenance Newark Bay lights and replacements	350 00	
		6,250 00
Extraordinary Expenditures:		
Two new motors and clutches for boats	$2,400 00	
Enforcement of collection of licenses and provisions for fees	2,559 00	
State Boundaries, chapter 52:29–1, R. S.	1,800 00	
		6,759 00
Unclassified:		
Expenses of New Jersey Council to advertise the advantages of the State, pursuant to Title 52, chapter 9–C of the R. S.		50,000 00
		$180,449 56

D 2. Commission on Interstate Co-operation

Expenses incurred by the commission appointed pursuant to Joint Resolution No. 3, approved March 12, 1935	$14,765 00

D 3. Board of Public Utility Commissioners

Salaries:		
Members of the board	$36,000 00	
Counsel (2)	15,200 00	
Secretary	7,500 00	
Engineers, inspectors, clerks, stenographers and other employees	237,661 50	
Reporting hearings ..	7,000 00	
		$303,361 50
Materials and Supplies:		
Stationery and office supplies		4,000 00
Services Other Than Personal:		
Traveling expenses ..	$9,000 00	
Miscellaneous expenses	750 00	
Printing of Volume of Reports	1,800 00	
Printing	3,500 00	
		15,050 00
		$322,411 50

D 4. Board of Shell Fisheries

Salaries:		
Director	$4,200 00	
Chiefs of bureaus ..	5,647 92	
Captains of boats, crews, guards, clerks, et cetera	52,221 88	
Special guard service	500 00	
		$62,569 80

Materials and Supplies:		
Fuel and power	$5,000 00	
Stationery and office supplies	250 00	
License plates	200 00	
		5,450 00
Current repairs		6,000 00
Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Insurance (other than fire)	775 00	
Surveying and mapping	1,500 00	
Rent of offices and boats	2,550 00	
Miscellaneous expenses	300 00	
		7,625 00
Additions and Improvements:		
Shelling beds, dynamiting and netting drumfish, Department of Maurice river cove and Atlantic coast and control of oyster drill in Cumberland and Cape May counties	$20,000 00	
Staking State's natural spawning oyster beds	500 00	
		20,500 00
		$102,144 80

D 5. COUNTY BOARDS OF TAXATION

For salaries of members of the county boards of taxation		$172,740 00

D 6. DEPARTMENT OF BANKING AND INSURANCE

Salaries:		
Commissioner	$10,000 00	
Clerks, stenographers and other employees	658,706 93	
		$668,706 93
Materials and Supplies:		
Motor vehicular transportation supplies	$150 00	
Stationery and office supplies	2,500 00	
Office equipment replacement	500 00	
		3,150 00
Services Other Than Personal:		
Traveling expenses ..	$60,000 00	
Freight, express and cartage	450 00	
Subscriptions and Membership Fee National Association State Bank ..	910 00	
Compiling and printing valuations	450 00	
Rents	9,108 00	
Printing	14,000 00	
Miscellaneous expenses	1,000 00	
Insurance (other than fire)	150 00	
		86,068 00
		$757,924 93

D 7. DEPARTMENT OF CONSERVATION AND DEVELOPMENT

Administration

Salaries:		
State Forester and Director	$6,500 00	
Other employees, present, $15,533.20; new, $1,584.00	17,117 20	
		$23,617 20
Materials and supplies		1,500 00
Current repairs		50 00
Services other than personal		500 00

Geologic and Topographic Surveys

Salaries:		
State Geologist	$5,500 00	
Topographic engineer	3,800 00	
Assistant Geologist ..	2,500 00	
Other employees	2,240 00	
		14,040 00
Materials and supplies		100 00
Current repairs		50 00
Services other than personal		3,340 00

State Museum

Salaries:		
Curator	$3,800 00	
Museum preparator	3,200 00	
Other employees ...	27,684 00	
		34,684 00
Materials and supplies		6,430 00
Current repairs		1,200 00
Services other than personal		2,950 00
Additions and improvements		1,375 00

New Jersey State Library

Forestry Investigation, Advice and Assistance

Salaries:		
Senior assistant forester	$3,200 00	
Other employees	15,064 00	
		18,264 00
Materials and supplies		490 00
Current repairs		250 00
Services other than personal		4,750 00

State Forests

Salaries:		
Senior assistant forester	$3,200 00	
Other employees	45,163 00	
		48,363 00
Materials and supplies		4,550 00
Current repairs		5,000 00
Services other than personal		3,418 00
Additions and improvements		1,200 00
Extraordinary Expenditures:		
Tax lieu on State forests, et cetera.		5,524 81
The income from the State Forest Fund is hereby appropriated for Silviculture Improvements of State Forests.		

State Forest Nurseries and Reforestation

Salaries:		
Senior assistant forester	$3,200 00	
Other employees	13,942 00	
Labor (per diem)	3,080 00	
		20,222 00
Materials and supplies		2,500 00
Current repairs		600 00
Services other than personal		1,000 00

State Parks

Salaries:		
State parks supervisor and land agent	$4,700 00	
Supervisors, guards and other employees	69,178 00	
Labor	1,200 00	
		75,078 00
Materials and supplies		7,500 00
Current repairs		10,000 00
Services other than personal		1,675 00
Additions and improvements		335 00
Extraordinary Expenditures:		
Tax lieu on 5,830 acres		583 00

All unexpended balances in the accounts derived from revenues received from all State parks under the jurisdiction of the Department of Conservation and Development; and also the revenues received from the same parks are hereby appropriated for the use of the Department of Conservation and Development for the operation, maintenance and development of said parks:

Preventing and Extinguishing Forest Fires

Salaries:		
State fire warden	$4,200 00	
Other employees	120,478 60	
Labor (per diem) on fire lines	2,490 00	
		127,168 60
Materials and supplies		3,800 00
Current repairs		2,000 00
Services other than personal		16,000 00

Extraordinary Expenses:		
Fire fighting cost bills (chapter 212, laws of 1942)		25,000 00

Delaware and Raritan Canal

Salaries:		
Employees and labor		24,840 00
Materials and supplies		745 00
Services other than personal		1,150 00
Current repairs		1,500 00
Unclassified:		
Compensation award —William Hoover.	$138 84	
Compensation award —Carl Luderitz	346 86	
Compensation award —Alfred Ingersoll.	570 26	
Compensation award —Ralph Luderitz	935 98	
Compensation award —Mrs. Lewis F. Frank	858 00	
		2,849 94
		$506,192 55
Less transfer from Highway Fund		13,000 00
		$493,192 55

D 8. Department of Health

Salaries:		
Director	$6,760 00	
Director, Federal Supervision	1,240 00	
Other employees	346,345 75	
		$354,345 75

Materials and Supplies:		
Stationery and office supplies	$4,231 00	
Engineering supplies.	750 00	
Vehicular transportation supplies	3,100 00	
Laboratory supplies..	20,000 00	
Other materials and supplies	250 00	
Inspector's supplies .	150 00	
Dental health education materials	1,000 00	
Office equipment replacement	500 00	
		29,981 00
Services Other Than Personal:		
Printing	$12,000 00	
Traveling expenses ..	19,100 00	
Miscellaneous expenses	3,000 00	
Rental of tabulation machines	1,296 00	
Binding volumes of birth, marriage and death certificates ..	750 00	
Court expenses	500 00	
Rents	2,435 00	
Maintenance of dental trailer	300 00	
Maintenance of boats and plants	3,050 00	
Insurance (other than fire)	1,500 00	
		43,931 00
Additions and Improvements:		
Laboratory equipment		1,000 00

Extraordinary Expenditures:		
Pneumonia serum, pursuant to chapter 204, laws of 1940...	$3,500 00	
Biological assays	500 00	
Diphtheria Toxoid and Smallpox Vaccine	9,700 00	
Whooping Cough Immunization	8,000 00	
Typhoid Vaccine	900 00	
		22,600 00

Bureau of Venereal Disease Control

Salaries:		
Chief	$3,800 00	
Other employees	14,938 00	
	$18,738 00	
Materials and Supplies:		
Drugs and clinic supplies	$5,000 00	
Stationery and office supplies	300 00	
	$5,300 00	
Services Other Than Personal:		
Traveling expenses, printing and other miscellaneous	$2,500 00	
		26,538 00

Maternal and Child Health Bureau

Salaries:		
Consultant	$4,500 00	
Other employees	89,087 72	
	$93,587 72	
Materials and supplies	1,970 00	
Services other than personal	16,200 00	
		111,757 72

Industrial Hygiene Bureau

Salaries:		
Chief of Service	$5,000 00	
Physicians, nurses, clerks, et cetera	33,362 00	
	$38,362 00	
Materials and supplies	750 00	
Services other than personal	7,910 00	
		47,022 00
		$637,175 47

D 9. Department of Labor

Salaries:	
Commissioner of Labor	$6,000 00
Deputy Commissioners Workmen's Compensation	76,500 00
Deputy Commissioners of Labor and Chiefs of bureaus	28,000 00

Supervisor, informal hearings	6,000 00	
Examiners, inspectors, clerks and other employees	272,648 24	
Bureau for Women and Children	4,040 00	
Wage Collection Division	8,680 00	
Minimum Wage Division	71,199 96	
Child Labor Bureau .	25,120 00	
Commissioner of Compensation	1,500 00	
To adjust salaries of factory inspectors and child labor examiners	6,000 00	
		505,688 20
Materials and Supplies:		
Stationery and office supplies	$6,000 00	
Office equipment replacement	1,500 00	
Coal, Jersey City, Trenton and Paterson	1,500 00	
Vehicular transportation supplies	380 00	
Lighting, power and water service	1,000 00	
		10,380 00
Current repairs		200 00
Services Other Than Personal:		
Traveling expenses (Inspectors, Referees, Adjusters, et cetera)	$19,000 00	
Rents, garage and office equipment	4,020 00	

Miscellaneous expenses	1,500 00	
Printing	4,000 00	
Expenses for Industrial Safety Campaign	800 00	
		29,320 00
		$545,588 20

D 10. Department of Weights and Measures

Salaries:		
Superintendent	$5,200 00	
Assistant Superintendent, Chief Clerk	5,000 00	
Compensation for assistants	38,698 00	
		$48,898 00
Materials and Supplies:		
Vehicular transportation supplies	$2,450 00	
Seals and license plates	1,600 00	
Stationery and office supplies	1,800 00	
Other materials and supplies	500 00	
		6,350 00
Current repairs		50 00
Services Other Than Personal:		
Traveling expenses	$8,500 00	
Insurance (other than fire)	450 00	
Miscellaneous expenses	600 00	
Printing and binding	1,100 00	
		10,650 00

Extraordinary Expenditures:	
Heavy duty scale testing truck	10,000 00
	$75,948 00

D 11. HEALTH OFFICERS, PORT OF PERTH AMBOY

Health officer of the Port of Perth Amboy, for salary, pursuant to R. S. 26:4–111	$1,120 00
Deputy health officer	370 00
	$1,490 00

D 12. STATE BOARD OF TAX APPEALS

Salaries:		
President	$6,500 00	
Members of board ..	28,200 00	
Secretary	7,000 00	
Compensation for other assistants ..	38,698 00	
		$80,398 00
Materials and Supplies:		
Stationery and office supplies	$2,500 00	
Office equipment replacement	500 00	
Vehicular transportation supplies	250 00	
		3,250 00
Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Miscellaneous expenses	600 00	

Printing "Report of Cases" and Compilation of New Jersey Tax Laws	400 00	
		3,000 00
		$86,648 00

D 13. STATE BOARD OF TENEMENT HOUSE SUPERVISION

Salaries:		
Secretary and executive officer	$7,000 00	
Compensation for assistants and other employees	97,376 00	
		$104,376 00
Materials and Supplies:		
Stationery and office supplies	$400 00	
Other materials and supplies	300 00	
Vehicular transportation supplies	1,000 00	
Office equipment replacement	100 00	
		1,800 00
Services Other Than Personal:		
Traveling expenses ..	$7,500 00	
Miscellaneous expenses	400 00	
Garage rent	216 00	
Printing, binding, photographing and blueprinting	200 00	
Insurance (other than fire)	50 00	
		8,366 00
		$114,542 00

D 14. Real Estate Commission

Salaries:		
Commissioners (5) ..	$21,000 00	
Secretary	6,000 00	
Chief examiner and investigator	5,200 00	
Other employees	25,424 00	
		$57,624 00
Materials and Supplies:		
Stationery and office supplies	$300 00	
Office equipment replacement	500 00	
		800 00
Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Printing, binding, photographing and blueprinting	1,565 00	
Miscellaneous expenses	400 00	
Subpœna and class room fees	500 00	
Insurance (other than fire) and bond premiums	204 00	
		5,169 00
		$63,593 00

D 15. Department of State Police

Salaries:		
Colonel and superintendent	$9,000 00	
Major and deputy superintendent	6,000 00	
Captains	20,200 00	
Lieutenants	44,720 00	
Noncommissioned officers, troopers, et cetera	873,542 72	
Medical and surgical services	10,000 00	
Communication System	63,320 68	
Identification Division	72,495 48	
		$1,099,278 88
Materials and Supplies:		
Food and lodging	$244,546 81	
Clothing	34,300 00	
Heat, light, power, water, gas and electricity	12,600 00	
Vehicular transportation supplies	82,000 00	
Household and organization supplies	13,000 00	
Medical, surgical and chemical supplies	2,500 00	
Stationery and office supplies	12,000 00	
Office equipment replacement	500 00	
Replacement of motor vehicles	50,000 00	
Photographing, blueprinting and drafting supplies	3,000 00	
Parts and tools	5,000 00	
		459,446 81
Current repairs		8,000 00

Services Other Than Personal:		
Traveling expenses ..	$1,600 00	
Rents	15,800 00	
Insurance (other than fire)	3,750 00	
Freight, express and cartage	75 00	
Emergency fund	1,500 00	
Rental, fingerprint sorter	2,832 00	
Rental of communications instruments and power	53,500 00	
		79,057 00
Additions and Improvements:		
Household equipment	$500 00	
Office equipment	4,500 00	
Purchase of communication equipment ..	8,000 00	
Scientific equipment..	1,500 00	
		14,500 00
		$1,660,282 69
Payment of fifty per centum (50%) of this appropriation to be made from the State Highway Fund ..		830,141 35
		$830,141 34

D 16. State Water Policy Commission

Salaries:		
Engineer in charge ..	$6,000 00	
United States Geological Survey employees (½ salary)	13,180 00	
Other employees	29,878 00	
		$49,058 00

Materials and Supplies:		
Stationery and office supplies	$400 00	
Engineering supplies.	500 00	
Vehicular transportation supplies	1,200 00	
		2,100 00
Current repairs		1,000 00
Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	600 00	
Postage	300 00	
Printing, binding, photographing and blueprinting	400 00	
Rents	5,705 00	
Miscellaneous expenses	300 00	
		9,305 00
Extraordinary Expenditures:		
For preparation of water supply plans for and to supervise the construction of interconnections between water supply systems and the protection of the waterworks in the State (chapters 25 and 26, laws of 1942)		9,930 00
		$71,393 00

D 17. State Tax Department

Commissioner's Office

Salaries:		
Secretary	$2,600 00	
Materials and supplies	150 00	
Services other than personal	800 00	
		$3,550 00

Administrative Service

Salaries:		
Director	$4,000 00	
Clerical employees ..	12,458 00	
	$16,458 00	
Materials and supplies	125 00	
Services other than personal	7,060 00	
		23,643 00

Corporation Tax Division

Salaries:		
Director	$4,100 00	
Clerical employees ..	51,804 00	
	$55,904 00	
Materials and supplies	1,800 00	
Services other than personal	3,625 00	
		61,329 00
Unclassified:		
Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and di-		

rected to allow and certify to the State Treasurer for payment any duplicate payment of tax, or any amount legally adjudged to be an overpayment of franchise taxes and interest thereon by any so-called miscellaneous corporation, provided any such taxes shall not have been assessed or fixed earlier than two years prior to the date of instituting proceedings to recover such overpayment. The State Treasurer is hereby authorized and directed to pay warrants issued therefor by the Comptroller.

Engineering and Railroad Tax Division

Salaries:		
Chief engineer	$11,000 00	
Other employees	58,750 00	
	$69,750 00	
Materials and supplies	2,550 00	
Services other than personal	1,700 00	
Additions and improvements	150 00	
		74,150 00

Local Tax Division

Salaries:		
Field secretary	$4,500 00	
Other employees	4,502 00	
	$9,002 00	
Materials and supplies	100 00	
Services other than personal	200 00	
		9,302 00

Transfer Inheritance Tax Division

Salaries:		
State Supervisor—inheritance tax	$11,500 00	
Other employees	263,905 00	
	$275,405 00	
Materials and supplies	6,000 00	
Services other than personal	2,750 00	
Additions and improvements	200 00	

Unclassified:

Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of R. S. 54:33–10, payment

of five per centum (5%) of tax collected to counties, and to refund and pay such claims as may be necessary and the State Treasurer shall pay same upon the warrants of said Comptroller, and there is hereby appropriated the amount necessary therefor, approximating	300,000 00	
		584,355 00

Public Utility Tax Division

Salaries:		
Chief	$4,500 00	
Other employees	9,640 00	
	$14,140 00	
Materials and supplies	1,000 00	
Services other than personal	900 00	
		16,040 00

Beverage Tax Division

Salaries:		
Director	$6,500 00	
Other employees	222,598 00	
	$229,098 00	
Materials and supplies	6,400 00	
Services other than personal	18,650 00	
		254,148 00

Unclassified:		
Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State fund, moneys to refund and pay such claims for refund as may be necessary under the various provisions of Title 54 of the Revised Statutes and any statutes superseded thereby, and the State Treasurer shall pay same upon warrant of the said Comptroller.		
		$1,026,517 00

D 18. Department of Aviation

Expenses incurred by the Department of Aviation, established pursuant to chapter 1 of Title 6 of the R. S.		
Salaries:		
Director of Aviation	$6,000 00	
Compensation of other employees	8,578 00	
		$14,578 00

Materials and Supplies:		
Stationery and office supplies and equipment	$175 00	
Maintenance of aircraft	500 00	
		675 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Insurance (other than fire)	637 50	
Miscellaneous expenses	200 00	
		1,837 50
		$17,090 50

D 19. Department of Alcoholic Beverage Control

Salaries:		
Commissioner	$16,500 00	
Compensation for other assistants and clerical services, present, $403,385.86; new inspectors, $5,600.00	408,985 86	
		$425,485 86
Materials and Supplies:		
Stationery and office supplies	$3,500 00	
Other materials and supplies	1,000 00	
Office, ordinance and seizure equipment..	1,000 00	
		5,500 00

Services Other Than Personal:		
Traveling expenses ..	$60,000 00	
Printing, binding, photographing and blueprinting	4,500 00	
Insurance (other than fire)	650 00	
Miscellaneous expenses	5,000 00	
Seizure expenses	4,000 00	
		74,150 00
Unclassified Expenditures:		
Compensation Award, Sidney White		433 33
		$505,569 19

D 20. State Board of Beauty Culture Control

Salaries:		
Commissioners	$11,000 00	
Secretary	3,200 00	
Counsel	3,000 00	
Inspectors and other employees	15,032 08	
		$32,232 08
Materials and Supplies:		
Vehicular transportation supplies	$2,000 00	
Stationery and office supplies	300 00	
Office equipment replacement	250 00	
Other materials and supplies	400 00	
		2,950 00

Services Other Than Personal:		
Traveling expenses ..	$1,600 00	
Insurance (other than fire)	160 00	
Miscellaneous expenses	200 00	
Printing	1,000 00	
		2,960 00
		$38,142 08

D 21. Board of Barber Examiners

Salaries:		
Officers and employees		$18,086 00
Materials and Supplies:		
Stationery and office supplies		400 00
Services Other Than Personal:		
Traveling expenses ..	$4,100 00	
Miscellaneous expenses	465 00	
		4,565 00
		$23,051 00

D 22. Interstate Sanitation Commission

Expenses incurred by the commission appointed pursuant to chapter 321, laws of 1935	$15,000 00

D 23. RACING COMMISSION

Salaries:		
Counsel	$5,000 00	
Secretary	5,000 00	
Other employees	27,175 00	
		$37,175 00
Materials and Supplies:		
Vehicular transportation supplies	$400 00	
Stationery and office supplies	750 00	
		1,150 00
Services Other Than Personal:		
Traveling expenses	$2,500 00	
Insurance (other than fire)	334 25	
Subscriptions and membership fees	283 00	
Printing	750 00	
Miscellaneous expenses	1,500 00	
		5,367 25
Additions and Improvements:		
Office equipment	$150 00	
Veterinarian equipment	200 00	
		350 00
		$44,042 25

E. Educational

E 1. State Board of Regents (State Agricultural College)

Rutgers University (State Agricultural College)		$752,909 00
Purchase of scholarships at Rutgers University, including the New Jersey College for Women		175,000 00
College for Women		400,000 00
Newark Technical School and Newark College of Engineering		94,505 00

Administrative

Board of Regents:		
Salaries	$8,860 00	
Materials and supplies	195 00	
Services other than personal	2,230 00	
		11,285 00

All unexpended balances in this account as of June 30, 1944, are hereby reappropriated.

Payments under this account to be made pursuant to R. S. 18:10–31.

$1,433,699 00

E 2. COMMISSIONER OF EDUCATION

Salaries:		
Commissioner	$15,000 00	
Five assistant commissioners	35,000 00	
Other employees	105,995 36	
		$155,995 36
Materials and Supplies:		
Stationery and office supplies	$14,000 00	
Office equipment replacement	500 00	
Vehicular transportation supplies	1,400 00	
		15,900 00
Services Other Than Personal:		
Traveling expenses ..	$4,500 00	
Postage	3,000 00	
Telephone and telegraph	1,500 00	
Miscellaneous expenses	650 00	
Rents	17,727 00	
Printing educational bulletin	4,000 00	
Printing special bulletins	2,000 00	
		33,377 00
The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to R. S. 18:10–31.		
		$205,272 36

Academic Certificate Fund

Salaries	$4,950 00	
Materials and supplies.	275 00	
Services other than personal	2,000 00	
		$7,225 00

E 3. County Superintendent

For county superintendents, for salaries	$109,200 00
Payments to be made pursuant to R. S. 18:10–31.	

E 4. Evening Schools for Foreign-Born Residents

For the purpose of carrying out the provisions of article 9, chapter 15 of Title 18 of the R. S., payment to be made pursuant to R. S. 18:10–31	$15,000 00

E 5. Industrial Education

For payments to schools established for industrial education pursuant to R. S. 18:15–24	$69,000 00
Payments to schools for manual training, pursuant to R. S., chapter 9 of Title 52	700,000 00
Payments under this account to be made pursuant to R. S. 18:10–31.	
	$769,000 00

E 6. Manual Training and Industrial School for Colored Youth

For salaries and wages, and for maintenance of the Manual Training and Industrial School for Colored Youth, on the basis of four hundred and forty students.

Salaries and Wages:		
Principal	$6,000 00	
Dean of Girls	2,200 00	
Teachers	77,043 00	
Other officers and employees	48,408 00	
Student labor	6,000 00	
		$139,651 00
Materials and Supplies:		
Food	$32,000 00	
Heat, light, power, water, gas and electricity	29,700 00	
Household and organization supplies	7,500 00	
Farm, stable and grounds supplies	12,500 00	
Industrial and vocational supplies	4,000 00	
Educational, recreational and library supplies	4,000 00	
Medical, surgical and chemical supplies	900 00	
Stationery and office supplies	200 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	100 00	
		91,600 00
Current repairs		11,000 00

Services Other Than Personal:		
Traveling expenses ..	$800 00	
Postage	800 00	
Telephone and telegraph	1,450 00	
Entertainment expenses	600 00	
Printing	500 00	
Religious services ...	200 00	
Miscellaneous expenses	150 00	
		4,500 00
Additions and Improvements:		
To complete work on remodeled house		3,000 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$249,751 00

E 7. School for the Deaf

For salaries and wages and for maintenance of the New Jersey School for the Deaf, on a basis of three hundred seventy-five pupils.

Salaries and Wages:		
Superintendent	$5,200 00	
Principal, teachers and instructors	149,148 66	
Other officers and employees	100,158 00	
Medical and surgical fees	900 00	
		$255,406 66

Materials and Supplies:		
Food	$40,000 00	
Clothing	1,500 00	
Heat, light, power, water, gas and electricity	27,500 00	
Household supplies	8,000 00	
Farm, stable and grounds supplies	1,200 00	
Industrial and vocational supplies	7,500 00	
Medical, surgical and chemical supplies	1,000 00	
Educational, recreational and library supplies	4,500 00	
Stationery and office supplies	500 00	
Vehicular transportation supplies	1,000 00	
Other materials and supplies	350 00	
Earphones and equipment	2,000 00	
		95,050 00
Current repairs		8,000 00
Services Other Than Personal:		
Traveling expenses	$1,000 00	
Entertainment expenses	750 00	
Freight, express and cartage	50 00	
Postage	350 00	
Telephone and telegraph	1,000 00	
		3,150 00

Additions and Improvements:		
Replacement heating equipment	$10,000 00	
Replacement advanced dining room equipment	1,000 00	
Replacement dish washer	1,200 00	
Scrubbing machine ..	300 00	
Laundry press	600 00	
		13,100 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$374,706 66

E 8. State Board of Education

Expenses incurred by the Board of Education	$1,400 00
Fire and other insurance premiums on buildings under control of State Board of Education	24,500 00
Payments under this account to be made pursuant to R. S. 18:10–31.	
	$25,900 00

E 9. State Board of Examiners

Salaries:		
Head clerk	$2,300 00	
Clerical services	3,168 00	
		$5,468 00
Materials and Supplies:		
Stationery and office supplies		700 00

Services Other Than Personal:		
Traveling expenses ..	$200 00	
Miscellaneous expenses	50 00	
		250 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$6,418 00

E 10. State Teachers College, Glassboro

For salaries and wages and for the maintenance of the State Teachers College, Glassboro, on the basis of two hundred students.		
Salaries and Wages:		
President	$7,500 00	
Teachers	99,170 62	
Other employees	33,328 40	
		$139,999 02
Materials and Supplies:		
Food	$20,000 00	
Heat, light, power, water, gas and electricity	11,500 00	
Farm, stable and grounds supplies ..	400 00	
Educational, recreational and library supplies	4,800 00	
Stationery and office supplies	350 00	
Household supplies ..	1,300 00	
Medical, surgical and chemical supplies ..	50 00	

Vehicular transportation supplies	100 00	
Other materials and supplies	400 00	
		38,900 00
Current repairs (including tree surgery)		4,000 00
Services Other Than Personal:		
Traveling expenses ..	$383 00	
Traveling expenses, supervisors of student teaching	1,000 00	
Postage	500 00	
Telephone and telegraph	450 00	
Rents	255 00	
Miscellaneous expenses	275 00	
Printing	465 00	
Laundry service	525 00	
		3,853 00

Unclassified:

In addition to the several amounts above appropriated, there may be expended upon the approval of the State House Commission any moneys received from dormitory or extension course fees or charges in excess of the receipts anticipated.

The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31.

$186,752 02

E 11. STATE TEACHERS COLLEGE, JERSEY CITY

For salaries and wages and for the maintenance of the State Teachers College, Jersey City, on the basis of four hundred seventy-five students.		
Salaries and Wages:		
President	$7,500 00	
Teachers	136,936 30	
Other employees	30,685 00	
		$175,121 30
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$7,265 65	
Educational, recreational and library supplies	8,000 00	
Stationery and office supplies	800 00	
Other materials and supplies	150 00	
Household supplies	1,300 00	
Ground supplies	300 00	
Medical, surgical and chemical supplies	100 00	
		17,915 65
Current repairs		6,200 00
Services Other Than Personal:		
Traveling expenses	$433 00	
Postage	700 00	
Telephone and telegraph	650 00	
Miscellaneous expenses	550 00	
Printing, including catalog	250 00	

Traveling expenses—supervision of student training	500 00	
		3,083 00
Additions and Improvements:		
Alterations to rooms and offices ...		275 00
Unclassified:		
In addition to the several amounts above appropriated, there may be expended upon the approval of the State House Commission any moneys received from extension course fees or charges in excess of the receipts anticipated.		
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31.		
		$202,594 95

E 12. State Teachers College, Newark

For salaries and wages, and for maintenance of the State Teachers College, Newark, on the basis of three hundred seventy-five students.

Salaries and Wages:		
President	$7,500 00	
Teachers	176,674 00	
Other employees	30,648 00	
		$214,822 00

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$6,950 00	
Educational, recreational and library supplies	6,500 00	
Stationery and office supplies	1,000 00	
Ground supplies (including ash removal)	500 00	
Household supplies	700 00	
Medical, surgical and chemical supplies	100 00	
		15,750 00
Current repairs		15,000 00
Services Other Than Personal:		
Traveling expenses	$383 00	
Traveling expenses—supervisors of student training	1,000 00	
Postage	900 00	
Telephone and telegraph	750 00	
Printing	1,450 00	
Miscellaneous expenses	500 00	
		4,983 00
Unclassified:		
In addition to the several amounts above appropriated, there may be expended upon the approval of the State House Commission any moneys received from extension course fees or charges in excess of the receipts anticipated.		
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$250,555 00

E 13. STATE TEACHERS COLLEGE, PATERSON

For salaries and wages, and for maintenance of the State Teachers College, Paterson, on the basis of two hundred fifty students, pursuant to the provisions of R. S. 18:16–29 and R. S. 18:16–19.		
Salaries and Wages:		
President	$7,500 00	
Teachers	82,824 00	
To eliminate discrimination in salaries..	5,000 00	
Other employees	13,872 00	
		$109,196 00
Materials and Supplies:		
Educational, recreational and library supplies	$4,500 00	
Stationery and office supplies	500 00	
Other materials and supplies	100 00	
Heat, light, power, water, gas and electricity	3,000 00	
Household supplies ..	450 00	
		8,550 00
Current repairs		300 00
Services Other Than Personal:		
Traveling expenses ..	$358 00	
Traveling expenses—student teaching ...	400 00	
Postage	600 00	
Telephone and telegraph	550 00	
Miscellaneous expenses	300 00	
Printing	525 00	
		2,733 00

Additions and Improvements:		
Institutional equipment		475 00
Unclassified:		
In addition to the several amounts above appropriated, there may be expended upon the approval of the State House Commission any moneys received from extension course fees or charges in excess of the receipts anticipated. The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31.		
		$121,254 00

E 14. State Teachers College, Montclair

For salaries and wages and for maintenance of the State Teachers College, Montclair, on the basis of seven hundred students.

Salaries and Wages:		
President	$7,500 00	
Teachers	254,848 81	
Other employees	59,360 00	
		$321,708 81
Materials and Supplies:		
Food	$42,000 00	
Heat, light, power, water, gas and electricity	20,630 00	

Educational, recreational and library supplies	10,000 00	
Stationery and office supplies	1,300 00	
Ground supplies	900 00	
Other materials and supplies	900 00	
Household supplies ..	3,500 00	
Vehicular transportation supplies	215 00	
Office equipment replacement	200 00	
Medical, surgical and chemical supplies ..	200 00	
		79,845 00
Current repairs		11,450 00
Services Other Than Personal:		
Traveling expenses ..	$450 00	
Traveling expenses, practice teaching ..	1,900 00	
Postage	1,850 00	
Telephone and telegraph	1,650 00	
Printing	1,650 00	
Miscellaneous expenses	625 00	
		8,125 00
Additions and Improvements:		
Engineering and scientific equipment	$350 00	
Railroad siding	6,000 00	
Educational and recreational equipment	350 00	
		6,700 00

Unclassified:		
In addition to the several amounts above appropriated there may be expended upon the approval of the State House Commission any moneys received from dormitory or extension course fees or charges in excess of the receipts anticipated.		
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$427,828 81

E 15. State Teachers College, Trenton

For salaries and wages, and for the maintenance of the State Teachers College, Trenton, on the basis of six hundred seventy-five students.

Salaries and Wages:		
President	$7,500 00	
Business manager	4,200 00	
Teachers	255,760 80	
Other employees	108,112 32	
		$375,573 12
Materials and Supplies:		
Food	$64,900 00	
Heat, light, power, water, gas and electricity	33,800 00	
Educational, recreational and library supplies	10,000 00	
Stationery and office supplies	1,000 00	
Other materials and supplies	150 00	

Vehicular transportation supplies	400 00	
Ground supplies	450 00	
Household supplies ..	4,000 00	
Medical, surgical and chemical supplies ..	300 00	
Institutional equipment replacement .	1,000 00	
		116,000 00
Current repairs		10,000 00
Services Other Than Personal:		
Traveling expenses ..	$333 00	
Expenses, supervision of student teaching	1,700 00	
Postage	1,400 00	
Household expenses .	5,700 00	
Telephone and telegraph	3,000 00	
Miscellaneous expenses	800 00	
Printing	1,425 00	
		14,358 00

Unclassified:

In addition to the several amounts above appropriated, there may be expended upon the approval of the State House Commission any moneys received from dormitory or extension course fees or charges in excess of the receipts anticipated.

Payments under this account to be made pursuant to R. S. 18:10–31.

$515,931 12

E 16. TEACHERS' LIBRARIES

Establishment and maintenance of libraries for use of teachers	$400 00
Payments under this account to be made pursuant to R. S. 18:10–31.	

E 17. TEACHERS' RETIREMENT FUND—PENSION AND ANNUITY FUND

State Treasurer, for expenses incurred in connection with the fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.		
Salaries of clerks	$5,440 00	
Materials and supplies and miscellaneous expenses	100 00	
		$5,540 00
Payments under this account to be made pursuant to R. S. 18:10–31.		

E 18. VOCATIONAL SCHOOLS

For the purpose of carrying into effect the provisions of chapter 76, laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provisions of article 5, chapter 15, of Title 18 of the R. S., which authorized State aid for vocational schools....	$410,000 00
For the purpose of carrying into effect the provisions of article 1, chapter 17 of Title 18 of the R. S., which provides that the State shall	

appropriate a sum not less than the maximum amount received from the Federal Government under an act of Congress, which provides for Federal co-operation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects	31,755 49
Matching George-Deen Vocational Law	26,000 00
Payments under this account to be made pursuant to R. S. 18:10–31.	
	$467,755 49

E 19. Teachers' Pension and Annuity Fund

Unclassified:	
State's contributions to Teachers' Pension and Annuity Fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.	
Pension accumulation fund	$2,316,256 00
Normal contribution	316,546 00
Deficiency contribution	3,834,799 00
Administration expense	45,000 00
Interest due Teachers' Pension and Annuity Fund, pursuant to chapter 159, laws of 1941	176,055 57
	$6,688,656 57

E 20. Student Service Commission

To continue the work of the commission appointed pursuant to chapter 103, laws of 1943	$8,800 00

F. Agriculture

F 1. Agricultural Experiment Station

Salaries and wages and for the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities	$194,489 80
Printing bulletins and circulars	6,000 00
Books and binding	1,000 00
Abolishing mosquito-breeding, pursuant to R. S. 26:9–1 to 26:9–26, inclusive, and investigations incident thereto	14,213 00
Investigation of oyster propagation, pursuant to R. S. 4:16–10	6,428 00
Department of Poultry Husbandry, pursuant to R. S. 4:16–12 to 4:16–16, inclusive, also 4:16–9 including poultry specialists for South Jersey	28,073 40
Seed inspection, pursuant to R. S., chapter 8 of Title 4	10,793 00
Investigational work with greenhouse crops	11,756 24
Insecticide inspection, pursuant to article 4, chapter 7 of Title 4 of the R. S.	400 00
Educational service in Agricultural Extension, pursuant to the provisions of R. S. 4:16–22 to 4:16–30 of the R. S. and other Agricultural Extension work	113,298 88
Cranberry and blueberry investigation	7,388 00
Egg-laying and breeding tests pursuant to the provisions of R. S. 18:15–6 and 18:15–7 and R. S. 4:16–17 including squab breeding tests ..	11,822 00

Experimental work in growing white potatoes, sweet potatoes and tomatoes		11,418 00
Legume inoculation inspection		1,114 00
Sewage investigation, pursuant to R. S. 4:16–11		20,858 00
For the purpose of carrying into effect the provisions of article 2, chapter 12 of Title 4 of the R. S., creamery inspection		2,960 00
Investigation of vegetable diseases		3,400 00
Investigation of bee husbandry		3,700 00
Investigations of diseases of ornamental plants and nursery stock		3,940 00
Combating insects affecting fruit and ornamental plants		9,382 00
Experimental work with small fruits		4,361 00
Spray residue investigations		5,645 00
Control of insects affecting vegetable crops investigations		4,760 00
Maintenance of a turkey breeding and feeding research farm		6,375 00
Investigation and research as to causes of Bang's disease and mastitis among cattle		16,872 04
Expenses incurred in soil conservation studies		5,450 00
Victory gardens and food conservation		18,974 56
Emergency farm labor		9,960 00
Services Other Than Personal:		
Maintenance of Boys' and Girls' 4-H Club exhibits and payment of premiums	$7,500 00	
Maintenance and repairs, State buildings at New Jersey State Fair, also premiums for live stock, poultry, hor-		

ticultural, agricultural and home economics exhibits at the New Jersey State Fair and the several county fairs	4,500 00	
		12,000 00
Current Repairs:		
Repairs to greenhouses	$1,000 00	
Repairs to poultry buildings and fences	750 00	
Extraordinary repairs to experiment station automobiles	500 00	
		2,250 00

North Jersey Branch

Maintenance, improvements and equipment.	$36,050 00	
Experimental purposes in dairy farming	6,570 00	
		42,620 00
		$591,701 92

F 2. Department of Agriculture

Salaries and administration of the Department of Agriculture pursuant to chapter 1 of Title 4 of the R. S.		$70,160 95
Editorial Division		10,830 00
Tuberculosis eradication	$75,135 00	
Appraisements — condemned cattle	40,000 00	
		115,135 00

Contagious abortion control and Bang's Disease control pursuant to article 3, chapter 5 of Title 4 of the R. S..	$33,485 26	
Indemnities — condemned cattle	20,000 00	
		53,485 26
Poultry disease control		5,689 64
Miscellaneous animal disease control		7,684 00
Fruit and vegetable marketing, pursuant to chapter 10 of Title 4 of the R. S.		10,352 85
Crops and markets information service		6,460 00
Poultry products, marketing, pursuant to chapter 10 of Title 4 of the R. S.		11,426 00
Dairy products marketing		5,015 00
Farm statistics		10,274 00
Plant inspection		20,086 63
Bee disease control		3,113 65
Japanese beetle control		50,191 21
Gipsy moth control		11,674 74
Licensing and bonding		8,595 65
Fresh egg law enforcement		10,779 41
Dutch elm disease control		20,465 00
Poultry Promotion, pursuant to article 1 of chapter 3 of Title 4 of the R. S.		1,670 00
		$433,088 99

F 3. State Soil Conservation Committee

Salaries:		
Compensation of employees		$1,775 00
Services Other Than Personal:		
Traveling expenses		875 00
		$2,650 00

G. Military

G 1. Adjutant-General's Department

Salaries:		
Adjutant-General ...	$7,944 00	
Deputy Adjutant-General	7,344 00	
Chief, War Records and Mobilization Division	7,144 00	
Assistant State Service Officers (3)	10,220 00	
Director of Personnel	4,304 00	
Chief, Administration, Organization and Training Section ..	5,766 00	
Clerical services	33,399 00	
		$76,121 00
Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Vehicular transportation supplies	1,000 00	
Replacement of motor vehicle	1,500 00	
Office equipment replacement	500 00	
		4,500 00

Services Other Than Personal:		
Printing and binding.	$1,400 00	
Traveling expenses ..	500 00	
Miscellaneous expenses	600 00	
		2,500 00
Extraordinary Expenditures:		
Repair of old flags		1,000 00
		$84,121 00

G 2. National Guard and/or State Guard

Maintenance of Armories, Arsenals and Camp Grounds

State camp grounds, salaries, wages and maintenance, including arsenal at Sea Girt and maintenance thereof	$55,000 00
Regimental armories at Jersey City, Paterson, Trenton (2), Teaneck and two at Newark and two at Camden ..	157,000 00
Troop, battery and battalion armories at East Orange, Elizabeth, Red Bank, Orange, Westfield, Passaic, Englewood, Atlantic City, West Orange, Morristown, Newark Air Port, Cumberland county and Freehold	126,000 00
Company armories at Somerville, Bridgeton, Dumont, Asbury Park,	

New Brunswick, Mount Holly, Burlington, Flemington, Hackensack, Salem, Woodbury, Plainfield and garages at Trenton, Lodi and Woodbury..	61,500 00	
Fire insurance on all military buildings and contents	33,735 00	
Insurance (other than fire)	18,000 00	
Rent of drill hall for headquarters and machine gun troops, Newark	5,500 00	
Rental and maintenance of fire alarm system..	9,000 00	
Salary of superintendent of Building Construction	6,000 00	
		$471,735 00

Army Instruction and Field Training

Pay of caretakers and mechanics for motorized and mounted organizations	$8,000 00	
Military differential in pay to employees of National Guard in Federal Service, pursuant to chapter 49, laws of 1937	18,000 00	
Compensation of officers and employees and expenses incurred in connection with rifle practice	5,000 00	

Transportation and expenses for battalion drills, inspection, parades, schools of instruction and pay and expenses of inspecting officers and transportation of disabled soldiers	2,000 00	
Compensation of officers and enlisted men and expenses in connection with annual encampment, provided that payment for services and supplies incident to field training of part of the National Guard and/or New Jersey State Guard during the month of June, 1944, is authorized from this item	75,000 00	
Fees for services of contract surgeons	2,000 00	
		110,000 00

General Maintenance Expenses

Military boards expenses	$375 00	
Maintenance of military equipment	2,500 00	
		2,875 00

Armory Construction

Renovation, repairs and additions to forty armories, buildings at camp grounds and rifle range		37,500 00

Compensation Awards

Compensation, hospitalization and medical attendance due to injuries received in National Guard service under provisions of chapter 11 of Title 38 of the R. S.	$6,000 00	
Claim of Mrs. Ida Mae Leidner for the death of her husband, Private Thomas Leidner, Troop E, 102nd Cavalry, which occurred at Long Branch, N. J., September 15, 1938, the result of injuries received at Sea Girt, N. J., July 8, 1935 ..	531 96	
		6,531 96
		$628,641 96
Less expenditures to be paid from armory rental receipts		200,000 00
		$428,641 96

G 3. Naval Militia

Brigade headquarters	$300 00

Second Battalion, Camden

Allowance for miscellaneous expenses in lieu of company expenses	1,000 00
Allowance for battalion headquarters	200 00

Seventh Battalion, Jersey City

Allowance for miscellaneous expenses in lieu of company expenses	1,000 00
Allowance for battalion headquarters	200 00

Eighth Battalion, Perth Amboy

Allowance for miscellaneous expenses in lieu of company expenses	1,000 00
Allowance for battalion headquarters	200 00
Pay, expenses, et cetera, of officers and enlisted men	5,000 00
Maintenance of Perth Amboy armory	6,000 00
Maintenance of Camden armory	9,000 00
	$23,900 00

G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

Salaries:		
Quartermaster - General	$7,944 00	
Compensation for assistants	67,013 60	
		$74,957 60
Materials and Supplies:		
Stationery and office supplies		500 00
Services Other Than Personal:		
Miscellaneous expenses		200 00
		$75,657 60

H. Pension and Retirement Fund

H 1. Judicial Retirement Fund

For the purpose of carrying out the provisions of article 1, chapter 6 of Title 43 of the R. S.	$18,000 00

H 2. Pensions

For amount required to pay pensions pursuant to various acts relative thereto, irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired	$118,000 00

H 3. State Employees' Retirement System

Expenses in carrying into effect the provisions of chapter 14 of Title 43 of the R. S.

Salaries:		
Secretary	$4,700 00	
Compensation for assistants, present, $24,665.84; new, $1,440.00	26,105 84	
		$30,805 84
Materials and Supplies:		
Stationery and office supplies		1,000 00

Services Other Than Personal:		
Printing	$175 00	
Miscellaneous expenses	625 00	
		800 00
Unclassified:		
To the Treasurer of the State of New Jersey custodian for Contingent Reserve Fund, created by R. S. 43:14–12 and 43:14–14 State's Accrued Liability Contribution	$187,020 00	
State's share, contributions on account of members' service	278,800 00	
Receipts from counties or municipalities pursuant to chapter 15 of Title 43 of the R. S., not in excess of	4,200 00	
Annuity savings, employees on military leave, pursuant to chapter 252, laws of 1942	2,000 00	
		472,020 00
		$504,625 84

H 4. Annuity for Widows of Governors

Annuity for widows of Governors of New Jersey, pursuant to R. S. 43:8–2	$5,000 00

H 5. Study of State Pension Systems

To the Comptroller in the event it becomes necessary to retain actuaries or other assistants to conduct a study into the financial requirements of present State pension funds	$10,000 00

J. Constructive

J 1. Port Raritan District Commission

Carrying out the provisions of chapter 12 of Title 12 of the R. S.	
Salaries	$5,380 00
Services Other Than Personal	1,860 00
	$7,240 00

J 2. South Jersey Port Commission

For the purpose of carrying out the provisions of chapter 11 of Title 12 of the R. S.	
Salaries	$26,503 00
Materials and supplies	1,800 00
Services other than personal	2,825 00
Additions and Improvements:	
Dredging work in the South Jersey Port District	25,000 00
	$56,128 00

J 3. STATE HOUSING AUTHORITY

Salaries:		
Compensation for assistants		$12,936 00
Materials and Supplies:		
Stationery and office supplies		500 00
Services Other Than Personal:		
Traveling expenses ..	$500 00	
Printing, binding, photographing and blueprinting	250 00	
Miscellaneous expenses	250 00	
		1,000 00
Unclassified:		
Compensation claim for widow of William Nelson		693 16
		$15,129 16

J 4. STATE PLANNING BOARD

Salaries:		
Compensation for employees, present, $18,922.00; new, $4,350.00 ...		$23,272 00
Materials and Supplies:		
Stationery and office supplies	$900 00	
Photographing, blueprinting and drafting supplies	500 00	
Heat, light, power, water, gas and electricity	625 00	
		2,025 00

Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Printing and binding.	2,500 00	
Miscellaneous expenses	500 00	
		4,000 00
Additions and Improvements:		
New equipment	$1,000 00	
Air photographs	2,500 00	
		3,500 00
		$32,797 00

K. General

K 1. Burial Grounds

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, laws of 1898	$75 00

K 2. Commissioners of High Point Park

Expenses incurred by the commission appointed pursuant to the provisions of chapter 5 of Title 13 of the R. S.

Salaries:		
Superintendent and executive secretary	$3,200 00	
Mechanics' wages, labor, and other employees	27,322 62	
		$30,522 62

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$4,500 00	
Ground supplies	100 00	
Vehicular transportation supplies	2,000 00	
Household and organization supplies	600 00	
Stationery and office supplies	100 00	
Other materials and supplies	200 00	
Supplies for the zoo	400 00	
		7,900 00
Current repairs		5,000 00
Services Other Than Personal:		
Telephone and telegraph	$400 00	
Insurance—auto, fire, robbery and workmen's compensation	870 19	
Miscellaneous expenses	200 00	
		1,470 19
Unclassified Expenditures:		
Receipts		8,000 00
		$52,892 81

K 3. Palisades Interstate Park Commission

Salaries		$106,411 00
Materials and Supplies:		
Clothing	$750 00	
Heat, light, power, water, gas and electricity	6,000 00	

Ground supplies	200 00	
Household and organization supplies	300 00	
Medical, surgical and chemical supplies ..	50 00	
Motor vehicular transportation supplies.	2,500 00	
Stationery and office supplies	400 00	
Photographing, blueprinting and drafting supplies	100 00	
Engineering supplies.	100 00	
Other materials and supplies	200 00	
		10,600 00
Current repairs		2,850 00
Services Other Than Personal:		
Traveling expenses ..	$100 00	
Telephone and telegraph	1,000 00	
Insurance (other than fire)	2,900 00	
Postage	250 00	
		4,250 00
New Buildings and Land:		
Purchase and rent from Board of Commerce and Navigation, as Trustees for the School Fund, all riparian lands and rights facing on park lands and not now owned by the commission		32,680 00
		$156,791 00

K 4. STATE CRIPPLED CHILDREN'S COMMISSION

Carrying out the provisions of chapter 188, laws of 1926, and supplements.		
Salaries:		
Director	$5,500 00	
Other clerical services	7,082 00	
		$12,582 00
Materials and Supplies:		
Stationery and office supplies	$275 00	
Hospitalization, braces, et cetera ...	26,180 00	
		26,455 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Rent	1,520 00	
		2,520 00
		$41,557 00

K 5. OLD BARRACKS ASSOCIATION

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the Old Barracks at Trenton, as a historical landmark and repository	$3,200 00

K 6. Public Library Commission

Salaries:		
Secretary and librarian	$5,200 00	
Assistant librarian and other employees	23,025 44	
		$28,225 44
Materials and Supplies:		
Stationery and office supplies	$2,000 00	
Educational and library supplies	30,000 00	
Office equipment replacement	500 00	
Vehicular transportation supplies	700 00	
		33,200 00
Services Other Than Personal:		
Traveling expenses	$450 00	
Formation and aid of school and county libraries, article 2, chapter 12 of Title 18 of the R. S.	10,000 00	
Donations to libraries, subdivision A, article 3, chapter 26 of the Title 52 of the R. S.	200 00	
Freight, express and cartage	500 00	
Printing and binding	2,000 00	
Miscellaneous expenses	200 00	
		13,350 00
		$74,775 44

K 7. UNCLAIMED WAGES

The Comptroller is hereby authorized to pay from this fund any claim for unclaimed wages, properly approved.

K 8. REHABILITATION COMMISSION

For the purpose of carrying into effect the provisions of chapter 16 of Title 34 of the R. S. and any additional legislation to co-operate with the Federal Government in connection with the revised program of rehabilitation $336,615 28

Provided, however, that this appropriation is not to take effect until a detailed program showing line item expenditures has been submitted to and approved by the State House Commission.

K 9. REFUND OF RAILROAD TAX

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon, for any year, pursuant to section 14, chapter 208, laws of 1888, and the acts amendatory thereof and supplementary thereto, or R. S. 54:28–4, made by any railroad and canal company, and the State Treasurer is directed to pay

warrants therefor issued by the Comptroller, said payment shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

K 10. NEW JERSEY VETERANS OF ALL WARS MEMORIAL ASSOCIATION

Salaries:		
Caretaker		$300 00
Materials and Supplies:		
Stationery and office supplies	$10 00	
Flags	25 00	
Other materials and supplies	25 00	
		60 00
Current repairs		50 00
Services Other Than Personal:		
Printing	$40 00	
Postage	10 00	
		50 00
		$460 00

K 11. State Library

Salaries:		
Librarian	$5,200 00	
Clerical services and other personnel ...	24,546 00	
		$29,746 00
Materials and Supplies:		
Library supplies	$5,000 00	
Stationery and office supplies	500 00	
		5,500 00
Services Other Than Personal:		
Traveling expenses ..	$200 00	
Legislative reference department	250 00	
Miscellaneous expenses	500 00	
Printing and binding	2,500 00	
		3,450 00
Additions and Improvements:		
Microfilming		4,500 00
		$43,196 00

K 12. Commission to Mark Historic Sites

Expenses of the commission, pursuant to chapter 1 of Title 28 of the R. S.	$19,161 00

K 13. GROVER CLEVELAND BIRTH PLACE ASSOCIATION

Expenses incurred by the commission appointed pursuant to chapter 270, laws of 1933		$1,375 00

K 14. STATE BOARD OF MEDIATION

Expenses of the State Board of Mediation, pursuant to the provisions of chapter 246, laws of 1941.

Salaries:		
Board members	$10,820 00	
Other employees	21,722 00	
		$32,542 00
Materials and supplies		940 00
Services other than personal		2,110 00
		$35,592 00

K 15. NEW JERSEY ARCHIVES

Salaries	$1,650 00	
Services Other Than Personal:		
Printing and binding New Jersey Archives	1,670 83	
		$3,320 83

K 16. Good Will Commission

Salaries	$3,680 00	
Materials and supplies	750 00	
Services other than personal	1,100 00	
		$5,530 00

K 17. Commission on Urban Colored Population

Salaries	$21,880 00	
Materials and supplies	400 00	
Services other than personal	2,720 00	
		$25,000 00

L. Special Funds

L 1. State Emergency Fund

For the State House Commission to meet conditions of emergency and contingency the sum of	$25,000 00

Provided, however, that all disbursements therefrom shall be made upon the written authorization of members of said commission, in accordance with the provisions of chapters 20 and 22 of Title 52 of the R. S.

For the State House Commission to pay compensation awards allowed State employees	20,000 00	
		$45,000 00

L 2. Fire Insurance

For the State House Commission for payment of fire insurance premiums not otherwise provided for, maturing during the current fiscal year, including purchase of equipment required to effect reductions in fire rates, fire insurance on all State buildings to be placed by said commission, all bills to be approved by said commission, and policies filed with the State Comptroller as Secretary of the State House Commission	$154,656 69

X. Institutions and Agencies

X 1. Department of Institutions and Agencies

Salaries:		
Commissioner	$15,000 00	
Director of administration and accounts — deputy commissioner	8,000 00	
Other officers and employees	140,266 64	
		$163,266 64

Materials and Supplies:		
Stationery, office supplies and equipment	$5,000 00	
Vehicular transportation supplies	4,000 00	
		9,000 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Miscellaneous expenses	2,000 00	
Deporting aliens and nonresidents	2,000 00	
Insurance (other than fire)	138 63	
		7,138 63

Central Parole Bureau

Salaries:		
Director, parole and domestic relations	$5,200 00	
Assistant director parole and domestic relations	4,700 00	
Assistant director parole and domestic relations	3,200 00	
Other employees	113,235 28	
		126,335 28
Materials and Supplies:		
Stationery, office supplies and equipment	$2,250 00	
Vehicular transportation supplies	5,000 00	
		7,250 00
Services Other Than Personal:		
Traveling expenses ..	$7,000 00	
Miscellaneous expenses	900 00	
Insurance (other than fire)	200 00	
		8,100 00

Division of Old Age Assistance

Salaries:		
Director	$5,000 00	
Other officers and employees	39,961 61	
		44,961 61
Materials and Supplies:		
Stationery, office supplies and equipment	$2,500 00	
Vehicular transportation supplies	1,050 00	
		3,550 00
Services Other Than Personal:		
Traveling expenses ..	$1,500 00	
Miscellaneous expenses	600 00	
Insurance (other than fire)	70 21	
Rental of I. B. M. equipment	1,800 00	
		3,970 21

Industrial Supervision

Salaries:		
Director institutional industries	$7,000 00	
Assistant director of industries	4,700 00	
Clerical services and other employees ..	25,344 00	
	$37,044 00	
Unclassified:		
Compensation Award Peter Walsh	1,040 00	
	$38,084 00	

For the State Use Revolving Fund there is hereby appropriated the unexpended balance of the fund now known as the "State Use Working Capital Fund," and in accordance with the provisions of R. S. 30:4–100, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

The following sum is appropriated from the State Use Revolving Fund, for further plant and equipment for State use industries from the surplus in the revolving fund in excess of the amount of $50,000.00.

Repair, replacement and extension of State use industry, as follows:

State Prison	
Rahway Reformatory	
Vineland State School	
State Home for Girls	
North Jersey Training School, Totowa	
Criminal Insane and Penal Institutions	$37,500 00
Reformatory, Annandale	
Prison Farm, Bordentown	
Prison Farm, Leesburg	
Reformatory, Clinton	
Commission for the Blind	
Central Office	

Division of Architecture, Construction and Maintenance

Salaries:		
Director	$6,000 00	
Assistant director and mechanical engineer	5,100 00	
Other employees	68,501 60	
		$79,601 60
Materials and Supplies:		
Vehicular transportation supplies	$1,850 00	
Stationery and office supplies	600 00	
Photographing, photostating and blueprinting supplies ..	500 00	
		2,950 00
Services Other Than Personal:		
Traveling expenses ..	$1,500 00	
Miscellaneous expenses	600 00	
Insurance (other than fire)	40 79	
		2,140 79
It is hereby provided that additional employees shall be paid from the fees received by the division at rates fixed by the Civil Service Commission.		
		$458,264 76

X 2. COLONY FOR FEEBLE-MINDED MALES, NEW LISBON

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, on the basis of eight hundred inmates.

Salaries and Wages:		
Superintendent	$5,200 00	
Other officers and employees	159,007 36	
Medical and surgical fees	1,200 00	
Religious services ...	1,200 00	
		$166,607 36
Materials and Supplies:		
Food	$50,000 00	
Clothing	13,750 00	
Heat, light, power, water, gas and electricity	43,000 00	
Household supplies ..	11,500 00	
Farm, stable and grounds supplies ..	23,700 00	
Industrial and vocational supplies	1,800 00	
Medical, surgical and chemical supplies ..	3,000 00	
Vehicular transportation supplies	2,500 00	
Stationery and office supplies	600 00	
Educational, recreational and library supplies	900 00	
Other materials and supplies	1,750 00	
Replacement of band instruments	200 00	

Replacement of kitchen equipment	1,000 00	
Painting supplies—interior	1,500 00	
		155,200 00
Current repairs		8,500 00
Services Other Than Personal:		
Traveling expenses	$600 00	
Telephone and telegraph	2,100 00	
Insurance (other than fire)	450 00	
Entertainment expenses	650 00	
Freight, express and cartage	300 00	
		4,100 00
Additions and Improvements:		
Purchase of school furniture		500 00
		$334,907 36

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for the training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 3. Colony for Feeble-Minded Males, Woodbine

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of eight hundred inmates.

Salaries and Wages:		
Superintendent	$5,200 00	
Attendants, nurses and other employees, present, $164,624.56; new, $16,662.00	181,286 56	
Medical, surgical and dental fees	1,000 00	
		$187,486 56
Materials and Supplies:		
Food	$73,000 00	
Clothing	8,800 00	
Heat, light, power, water, gas and electricity	28,000 00	
Household supplies ..	9,000 00	
Farm, stable and grounds supplies ..	4,500 00	
Medical, surgical and chemical supplies ..	2,750 00	
Stationery and office supplies	600 00	
Vehicular transportation supplies	1,300 00	
Educational, recreational and library supplies	700 00	
Other materials and supplies	325 00	
Painting material and supplies	2,000 00	

Replacement of electrical distribution system	1,000 00	
Replacement of farm equipment	800 00	
Repairs to insulation and pipe covering ..	1,000 00	
Replacement of kitchen equipment	700 00	
		134,475 00
Current repairs		7,000 00
Services Other Than Personal:		
Telephone and telegraph	$1,100 00	
Traveling expenses ..	500 00	
Funeral expenses	200 00	
Insurance (other than fire)	199 14	
Freight and express	100 00	
Miscellaneous expenses	400 00	
		2,499 14
Additions aand Improvements:		
Additions in service building and refrigeration system	$2,000 00	
New well and pump ..	5,000 00	
		7,000 00
Unclassified:		
Compensation award to Mrs. Calloway		520 52
		$338,981 22

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for train-

ing of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 4. COMMISSION FOR THE BLIND

Salaries:		
Executive officer and secretary	$5,500 00	
Assistant executive officer	2,960 00	
Teachers of occupational subjects and other employees ..	66,681 00	
		$75,141 00
Materials and Supplies:		
Extension of home industries	$1,500 00	
Vehicular transportation supplies	800 00	
Stationery and office supplies	1,300 00	
Replacement of office appliances and special equipment ..	500 00	
		4,100 00
Services Other Than Personal:		
Traveling expenses ..	$7,500 00	
Rents (garage)	252 00	
Support and instruction of the blind ...	45,000 00	
Higher education of the blind	5,000 00	
Expressage	1,100 00	

Entertainment for the blind	300 00	
Prevention of blindness	1,000 00	
State relief for the blind	250 00	
Miscellaneous expenses	325 00	
		60,727 00

Unclassified:		
Maintenance of summer camp	$3,000 00	
Payments to be made to counties in accordance with provisions of chapter 348, laws of 1941	8,500 00	
		11,500 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and forty-four, is hereby reappropriated, said sum not to exceed $8,500.00.

The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, one thousand nine hundred and forty-four, is hereby reappropriated as a Revolving Industrial Fund, in the sum of $2,000.00.

$151,468 00

X 5. COUNTY INSANE HOSPITALS

For the support of patients pursuant to R. S. 30:4–78, in County Insane Hospitals:		
Atlantic	$57,000 00	
Burlington	43,000 00	
Camden	140,000 00	
Cumberland	35,000 00	
Essex	650,000 00	
Hudson	375,000 00	
		$1,300,000 00

Said amounts to include payment of bills prior to current fiscal year.

X 6. COUNTY TUBERCULOSIS HOSPITALS

For the support of patients pursuant to subdivision C, article 4, chapter 9 of Title 30, of the R. S., in the following county hospitals:	
Atlantic	$23,000 00
Bergen	68,000 00
Burlington	23,500 00
Camden	55,000 00
Cape May	5,000 00
Cumberland	11,000 00
Essex	140,000 00
Gloucester	8,000 00
Hudson	160,000 00
Hunterdon	3,000 00
Mercer	40,000 00
Middlesex	58,000 00
Monmouth	26,000 00
Morris	24,000 00
Ocean	6,500 00
Passaic	75,000 00
Salem	4,000 00

Somerset	12,500 00	
Sussex	3,500 00	
Union	90,000 00	
Warren	4,500 00	
		$840,500 00

Said amounts to include payment of bills prior to current fiscal year.

X 7. Feeble-Minded

Clothing, maintenance, support and instruction of feeble-minded	$172,500 00

X 8. Home for Disabled Soldiers, Menlo Park

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Menlo Park, on the basis of eighty veterans.

Salaries and Wages:		
Superintendent	$5,200 00	
Other officers and employees	34,353 60	
Religious services ...	150 00	
		$39,703 60
Materials and Supplies:		
Food	$13,500 00	
Clothing	1,275 00	
Heat, light, power, water, gas and electricity	5,200 00	
Household supplies ..	1,200 00	
Grounds (includes care of cemetery)	750 00	

Stationery and office supplies	250 00	
Medical, surgical and chemical supplies ..	900 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	100 00	
Replacement of mattresses	410 00	
Replacement of lawnmowers and purchase of garden equipment	950 00	
		25,235 00
Current repairs		700 00
Services Other Than Personal:		
Laundry service	$1,000 00	
Traveling expenses ..	200 00	
Telephone and telegraph	400 00	
Funeral expenses	100 00	
Entertainment expenses	175 00	
Freight and express..	25 00	
Insurance (other than fire)	125 00	
		2,025 00
		$67,663 60

X 9. Home for Disabled Soldiers, Etc., Vineland

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of one hundred thirty members.

Salaries and Wages:		
Superintendent	$5,200 00	
Other officers and employees	66,266 00	
Religious services ...	200 00	
Medical and surgical fees	1,000 00	
		$72,666 00
Materials and Supplies:		
Food	$29,000 00	
Clothing	2,500 00	
Heat, light, power, water, gas and electricity	18,000 00	
Household supplies ..	6,000 00	
Grounds	400 00	
Medical, surgical and chemical supplies ..	1,800 00	
Stationery and office supplies	450 00	
Vehicular transportation supplies	600 00	
Other materials and supplies	300 00	
Replacement of furniture main building.	1,200 00	
Replacement of floor covering	1,000 00	
		61,250 00
Current repairs		6,000 00
Services Other Than Personal:		
Traveling expenses ..	$150 00	
Telephone and telegraph	450 00	
Entertainment expenses	400 00	
Insurance (other than fire)	300 00	
Freight and express..	25 00	

Laundry service	3,750 00	
Funeral expenses ...	100 00	
		5,175 00
Additions and Improvements:		
Furniture and equipment for hospital..	$2,500 00	
Rewiring to eliminate hazards	2,000 00	
Extraordinary repairs for modernizing ...	3,000 00	
		7,500 00
		$152,591 00

X 10. North Jersey Training School, Totowa

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of six hundred twenty-five inmates.

Salaries and Wages:		
Superintendent	$5,200 00	
Attendants, nurses, and other employees	167,390 92	
Medical, surgical, dental, veterinary and religious fees	3,980 00	
		$176,570 92
Materials and Supplies:		
Food	$50,000 00	
Clothing	11,500 00	
Heat, light, power, water, gas and electricity	50,000 00	
Household supplies ..	12,000 00	

Farm, stable and grounds supplies ..	20,000 00	
Industrial and vocational supplies	1,600 00	
Educational, recreational and library supplies	1,750 00	
Medical, surgical and chemical supplies ..	4,000 00	
Stationery and office supplies	700 00	
Vehicular transportation supplies	2,300 00	
Other materials and supplies	100 00	
Office equipment replacement	250 00	
Replacement of horses	500 00	
Replacement of kitchen equipment	850 00	
		155,550 00
Current repairs		8,000 00
Services Other Than Personal:		
Traveling expenses ..	$400 00	
Telephone and telegraph	1,700 00	
Entertainment expenses	300 00	
Insurance (other than fire)	307 63	
Miscellaneous expenses	100 00	
		2,807 63
Additions and Improvements:		
Hospital equipment		160 00
		$343,088 55

X 11. REFORMATORY, ANNANDALE

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of four hundred fifty inmates.

Salaries and Wages:		
Superintendent	$6,000 00	
Deputy superintendent	3,080 00	
Medical and surgical fees	1,500 00	
Other officers and employees	202,586 36	
		$213,166 36
Materials and Supplies:		
Food	$27,000 00	
Clothing	14,000 00	
Heat, light, power, water, gas and electricity	32,000 00	
Farm, stable and grounds supplies ..	14,000 00	
Household supplies ..	5,900 00	
Medical, surgical and chemical supplies ..	1,400 00	
Vehicular transportation supplies	1,200 00	
Stationery, office supplies and equipment	700 00	
Educational, recreational and library supplies	2,450 00	
Other materials and supplies	750 00	
Photographing, blueprinting and drafting supplies	100 00	

Repair and replacement of refrigeration	3,200 00	
		102,700 00
Current repairs		5,500 00
Services Other Than Personal:		
Traveling expenses ..	$400 00	
Telephone and telegraph	1,050 00	
Freight and express .	200 00	
Entertainment expenses	500 00	
Funeral expenses	60 00	
Payments to discharged inmates and recapturing escapes	2,300 00	
Insurance (other than fire)	300 00	
Laundry service	2,250 00	
		7,060 00
Additions and Improvements:		
Purchase of farm equipment		1,000 00
		$329,426 36

X 12. Reformatory, Rahway

For salaries and wages and for maintenance of the Reformatory at Rahway on the basis of eight hundred inmates.		
Salaries and Wages:		
Superintendent	$6,000 00	
Deputy superintendent	3,200 00	
Other officers and employees	325,398 73	
Inmates' wages	10,000 00	
Medical and surgical fees	750 00	
		$345,348 73

Materials and Supplies:		
Food	$65,000 00	
Clothing	18,000 00	
Heat, light, power, water, gas and electricity	47,500 00	
Household supplies	10,000 00	
Farm, stable and grounds supplies	17,000 00	
Industrial and vocational supplies	600 00	
Educational, recreational and library supplies	1,000 00	
Photographing, blueprinting and drafting supplies	200 00	
Medical, surgical and chemical supplies	1,400 00	
Stationery and office supplies	1,200 00	
Vehicular transportation supplies	1,500 00	
Office equipment replacement	250 00	
		163,650 00
Current repairs		19,000 00
Services Other Than Personal:		
Traveling expenses	$400 00	
Telephone and telegraph	1,100 00	
Freight and express	50 00	
Payments to discharged inmates and recapturing escapes	150 00	
Insurance (other than fire)	275 00	
		1,975 00
		$529,973 73

X 13. Reformatory for Women, Clinton

For salaries and wages, and for maintenance of the Reformatory for Women, Clinton, on the basis of four hundred twenty-five inmates:		
Salaries and Wages:		
Superintendent	$4,700 00	
Assistant superintendent	2,400 00	
Other officers and employees, present, $103,148.00; new, $2,400.00	105,548 00	
Medical and surgical fees	3,500 00	
Religious services ..	1,200 00	
		$117,348 00
Materials and Supplies:		
Food	$25,000 00	
Clothing	9,000 00	
Heat, light, power, water, gas and electricity	23,000 00	
Household supplies ..	9,500 00	
Farm, stable and ground supplies ..	11,000 00	
Medical, surgical and chemical supplies ..	3,200 00	
Stationery and office supplies	750 00	
Educational, recreational and library supplies	650 00	
Vehicular transportation supplies	1,100 00	
Cannery supplies	1,800 00	

Replacement of storeroom scales	650 00	
Refrigeration repair and replacement ..	3,200 00	
		88,850 00
Current repairs		5,600 00
Services Other Than Personal:		
Traveling expenses ..	$425 00	
Telephone and telegraph	750 00	
Insurance (other than fire)	245 65	
Freight and express..	100 00	
Entertainment expenses	600 00	
Funeral expenses ...	100 00	
Payments to discharged inmates and recapturing escapes	1,600 00	
		3,820 65
Additions and Improvements:		
Purchase of tractor..	$900 00	
Purchase of equipment for nursery and school	1,500 00	
Purchase of surgical instruments	450 00	
Purchase of wire fencing	600 00	
Completion of shop building	3,500 00	
Purchase of furniture and furnishings ...	1,000 00	
Additional housing—administration building	9,000 00	
Alterations to Wittpenn building	4,000 00	

Reconstruction of Paddock building ..	5,000 00	
Reconstruction of poultry house	1,500 00	
Reconstruction and repair of barns	2,500 00	
		29,950 00
		$245,568 65

X 14. Sanatorium for Tuberculous Diseases

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred ninety-four patients.

Salaries and Wages:		
Superintendent	$8,000 00	
Physicians, clerks, nurses, farm help, instructors and others, including school teachers	292,473 10	
Clinic salaries	13,530 00	
Medical and surgical fees	100 00	
Religious services ...	1,000 00	
		$315,103 10
Materials and Supplies:		
Food	$145,000 00	
Clothing	1,000 00	
Heat, light, power, water, gas and electricity	65,000 00	
Household supplies ..	17,000 00	
Farm, stable and ground supplies ...	4,000 00	

Medical, surgical and chemical supplies ..	13,000 00	
Stationery and office supplies	1,500 00	
Educational, recreation and library supplies	600 00	
Vehicular transportation supplies	2,500 00	
Clinic supplies	175 00	
Replacement of kitchen equipment	1,000 00	
Replacement and renovation of steam return line	4,500 00	
Replacement of refrigerator	1,500 00	
Painting of water tower and tank	1,800 00	
Replacement of plumbing fixtures	4,000 00	
Repairs to boilers ...	800 00	
Replacement of laundry equipment	1,700 00	
Replacement of sputum incinerator	2,600 00	
Repairs to roof of coal bin	1,800 00	
Renovation of ice plant	1,800 00	
		271,275 00
Current repairs		15,000 00
Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	2,600 00	
Insurance (other than fire)	235 94	
Freight and express..	250 00	
Entertainment expenses	250 00	

New Jersey State Library

Miscellaneous expenses	50 00	
Clinic expenses	3,000 00	
		6,885 94
Additions and Improvements:		
Purchase of Rotary X-ray anode tube	$900 00	
Purchase of sterilizer in children's building	450 00	
Reconstruction and addition to sewage disposal plant	25,000 00	
Major replacement of electric wiring	3,500 00	
Construction of infirmary unit, E and W ward	9,000 00	
		38,850 00
Unclassified:		
Compensation award, Joan MacLennon		1,040 00
		$648,154 04

X 15. State Board of Children's Guardians

Salaries:		
Executive director	$7,500 00	
Compensation for other assistants	492,691 36	
		$500,191 36
Materials and Supplies:		
Stationery and office supplies	$7,000 00	
Vehicular transportation supplies	18,000 00	
		25,000 00
Current repairs to office equipment		3,000 00

Services Other Than Personal:		
Traveling expenses ..	$6,000 00	
Telephone and telegraph	6,000 00	
Rents	6,500 00	
Miscellaneous expenses	600 00	
Insurance (other than fire)	900 00	
		20,000 00
Revolving Fund:		
For the State Board of Children's Guardians to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto the Revolving Fund of $75,000.00 heretofore appropriated is reappropriated, all receipts when received to be credited to this fund. The same to be known as the State Board of Children's Guardians Revolving Fund.		
		$548,191 36

X 16. State Home for Boys

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred twenty-five inmates.		
Salaries and Wages:		
Superintendent	$5,500 00	
Business manager ...	3,200 00	
Other officers and employees	239,029 80	
Medical, surgical and veterinary fees	1,000 00	
		$248,729 80

Materials and Supplies:		
Food	$42,000 00	
Clothing	20,000 00	
Heat, light, power, water, gas and electricity	38,000 00	
Household supplies	12,000 00	
Farm, stable and ground supplies	18,600 00	
Industrial and vocational supplies	3,000 00	
Educational, recreational and library supplies	3,000 00	
Medical, surgical and chemical supplies	2,900 00	
Stationery and office supplies	1,000 00	
Vehicular transportation supplies	2,150 00	
Replacement of kitchen equipment	400 00	
Replacement of laundry equipment	5,000 00	
		148,050 00
Current repairs		11,000 00
Services Other Than Personal:		
Traveling expenses	$600 00	
Telephone and telegraph	1,450 00	
Entertainment expenses	300 00	
Freight and express	150 00	
Insurance (other than fire)	74 85	
		2,574 85
Additions and Improvements:		
Repairs to ice and cold storage plant		6,000 00
		$416,354 65

X 17. State Home for Girls

For salaries and wages, and for maintenance of the State Home for Girls on the basis of three hundred fifty inmates.		
Salaries and Wages:		
Superintendent	$4,700 00	
Teachers, nurses, clerks and others, present, $115,902.00; new, $5,184.00	121,086 00	
Medical, surgical and dental fees	2,300 00	
		$128,086 00
Materials and Supplies:		
Food	$35,000 00	
Clothing	8,000 00	
Heat, light, power, water, gas and electricity	5,200 00	
Household supplies ..	8,500 00	
Farm, stable and grounds supplies ..	5,500 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	700 00	
Medical, surgical and chemical supplies ..	1,300 00	
Vehicular transportation supplies	550 00	
Other materials and supplies	400 00	
Extraordinary painting	2,500 00	
		69,650 00
Current repairs		5,000 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Telephone and telegraph	1,250 00	
Insurance (other than fire)	177 33	
Freight and express..	100 00	
Entertainment expenses	200 00	
Payments to discharged inmates ...	200 00	
		2,327 33
Additions and Improvements:		
New floor covering ..	$1,500 00	
Furnishings for cottages	2,000 00	
		3,500 00
		$208,563 33

X 18. State Hospital, Greystone Park

For salaries and wages, and for maintenance of the State Hospital, Greystone Park, on the basis of five thousand seven hundred inmates.

Salaries and Wages:		
Medical superintendent and chief executive	$8,000 00	
Business manager ...	5,200 00	
Other officers and employees	1,468,215 96	
Religious services ...	1,300 00	
Clinic salaries	38,165 16	
		$1,520,881 12

Materials and Supplies:		
Food	$475,000 00	
Clothing	75,000 00	
Heat, light, power, water, gas and electricity	170,000 00	
Household supplies	86,000 00	
Farm, stable and grounds supplies	85,000 00	
Industrial and vocational supplies	5,000 00	
Medical, surgical and chemical supplies	46,000 00	
Stationery and office supplies	2,500 00	
Office equipment replacement	1,000 00	
Vehicular transportation supplies	7,000 00	
Other materials and supplies	6,000 00	
Clinic supplies	4,500 00	
Replacement of fire hose and equipment	800 00	
Replacement of ten food carts	2,400 00	
Containers for food carts (replacements)	500 00	
Replacement of dining room chairs and tables	3,000 00	
Supplies for nursing school	500 00	
Repairs to railroad siding	1,000 00	
		971,200 00
Current repairs		55,000 00

Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	8,200 00	
Insurance (other than fire)	1,443 93	
Freight and express..	1,500 00	
Funeral expenses ...	4,000 00	
Medical library subscriptions	200 00	
Miscellaneous expenses	800 00	
Clinic expenses	2,000 00	
		20,143 93
Additions and Improvements:		
Purchase of floor covering, main and dormitory buildings	$6,000 00	
Filters for water purification	10,000 00	
Purchase and installation of additional refrigeration	8,000 00	
Inlet piping Klondike Reservoir	2,000 00	
Renovating roofs and gutters Industrial buildings	10,000 00	
		36,000 00
New Buildings and Land:		
Extension of Boiler House and boiler		90,000 00
Unclassified:		
Compensation awards		5,000 00
		$2,698,225 05

X 19. State Hospital, Marlboro

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of two thousand eight hundred inmates.

Salaries and Wages:		
Medical director	$6,000 00	
Business manager and superintendent	5,500 00	
Other officers and employees	780,857 84	
Clinic salaries	15,568 00	
		$807,925 84
Materials and Supplies:		
Food	$225,000 00	
Clothing	37,000 00	
Heat, light, power, water, gas and electricity	112,500 00	
Farm, stable and grounds supplies ..	39,000 00	
Household supplies ..	41,000 00	
Medical, surgical and chemical supplies ..	25,000 00	
Industrial and vocational supplies	2,400 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	2,700 00	
Vehicular transportation supplies	4,000 00	
Clinic supplies	550 00	
Office equipment replacement	200 00	
Other materials and supplies	2,500 00	

Replacement of radiators	5,000 00	
Replacement of floor covering	4,200 00	
		503,050 00
Current repairs		35,000 00
Services Other Than Personal:		
Traveling expenses	$800 00	
Insurance (other than fire)	984 43	
Telephone and telegraph	3,500 00	
Funeral expenses	500 00	
Freight and express	400 00	
Miscellaneous expenses	550 00	
Clinic expenses	450 00	
		7,184 43
Additions and Improvements:		
Utility lines to disturbed building	$1,500 00	
Fence for patients' recreation area	2,000 00	
Construction of root cellar	5,000 00	
Construction of hot well	3,000 00	
		11,500 00
Unclassified Expenditures:		
Compensation award —Charles B. Lanning	$1,040 00	
Compensation award —Isabelle M. Clayton	921 44	
Compensation award —Stella M. Rager	524 36	
		2,485 80
		$1,367,146 07

X 20. State Hospital, Trenton

For salaries and wages, and for maintenance of the State Hospital, Trenton, on the basis of three thousand inmates.		
Salaries and Wages:		
Medical director	$7,000 00	
Business manager ...	5,500 00	
Other officers and employees	1,002,016 20	
In lieu of maintenance of eleven physicians and their families ..	16,134 00	
Religious services ...	700 00	
Clinic salaries	32,671 60	
		$1,064,021 80
Materials and Supplies:		
Food	$241,000 00	
Clothing	34,000 00	
Heat, light, power, water, gas and electricity	148,000 00	
Household supplies ..	47,000 00	
Farm, stable and grounds supplies ..	51,000 00	
Medical, surgical and chemical supplies ..	37,000 00	
Stationery and office supplies	3,200 00	
Vehicular transportation supplies	3,500 00	
Industrial and vocational supplies	5,000 00	
Other materials and supplies	4,000 00	
Clinic supplies	2,050 00	
Replacement of laundry equipment	4,000 00	

Replacement of electro therapy equipment	3,000 00	
Replacement of household china	2,500 00	
Replacement of equipment for kitchen and bakery	3,000 00	
Replacement of ceiling at congregate dining room and cafeteria	6,400 00	
Replacement of silo at dairy farm	1,000 00	
		595,650 00
Current repairs		35,000 00
Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	4,400 00	
Entertainment expenses	500 00	
Funeral expenses ...	1,000 00	
Newspapers and magazines	200 00	
Insurance (other than fire)	831 29	
Freight and express	125 00	
Cemetery upkeep	500 00	
Miscellaneous expenses	350 00	
Clinic expenses	550 00	
		10,456 29
Additions and Improvements:		
Improvements at criminal building		2,500 00
Unclassified:		
Compensation award—Anna Bakley		564 20
		$1,708,192 29

X 21. STATE PRISON

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand one hundred fifty inmates.		
Salaries and Wages:		
Principal keeper	$6,000 00	
Other officers and employees	414,275 25	
Wages for inmates at prison (other than State use)	10,000 00	
Medical, surgical and dental fees	1,800 00	
Religious services ...	6,036 00	
		$438,111 25
Materials and Supplies:		
Food	$100,000 00	
Clothing	27,000 00	
Heat, light, power, water, gas and electricity	48,500 00	
Household supplies ..	13,500 00	
Ground supplies	100 00	
Medical, surgical and chemical supplies ..	5,000 00	
Stationery and office supplies	1,700 00	
Educational, recreational and library supplies	1,850 00	
Vehicular transportation supplies	1,200 00	
Industrial and vocational supplies	150 00	
Photographing, blueprinting and drafting supplies	600 00	

Other materials and supplies	1,000 00	
Protective equipment replacement	500 00	
Replacement of dish-washing machine and tables	1,600 00	
		202,700 00
Current repairs		12,000 00
Services Other Than Personal:		
Traveling expenses (including returning runaways)	$1,300 00	
Telephone and telegraph	1,600 00	
Insurance (other than fire)	740 47	
Electrocution plant ..	800 00	
Payments to discharged inmates ..	1,300 00	
Funeral expenses ...	150 00	
Miscellaneous expenses	400 00	
		6,290 47
Unclassified:		
Compensation award to Mrs. Butcher		671 08
		$659,772 80

X 22. STATE PRISON FARM, BORDENTOWN

For salaries and wages, and for maintenance of the State Prison Farm, Bordentown, on the basis of six hundred inmates.		
Salaries and Wages:		
Superintendent	$4,200 00	
Chief deputy	2,940 00	
Medical, surgical and dental fees	500 00	
Custodial officers and other employees ..	183,081 54	
Inmates' wages	7,500 00	
		$198,221 54
Materials and Supplies:		
Food	$51,000 00	
Clothing	14,000 00	
Heat, light, power, water, gas and electricity	40,000 00	
Household supplies ..	5,500 00	
Farm, stable and grounds supplies ..	24,000 00	
Vehicular transportation supplies	1,100 00	
Stationery and office supplies	600 00	
Educational, recreational and library supplies	500 00	
Tobacco and other materials and supplies	150 00	
Replacement of irrigation pumps	300 00	
Replacement of refrigeration circulating system	2,500 00	
		139,650 00
Current repairs		6,000 00

Services Other Than Personal:		
Telephone and telegraph	$850 00	
Insurance (other than fire)	122 00	
Miscellaneous expenses	100 00	
		1,072 00
		$344,943 54

X 23. State Prison Farm, Leesburg

For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of two hundred fifty inmates.

Salaries and Wages:		
Superintendent	$3,200 00	
Other officers and employees	66,840 00	
Wages for inmates	3,000 00	
Medical and surgical fees	50 00	
		$73,090 00
Materials and Supplies:		
Food	$16,500 00	
Clothing	7,000 00	
Heat, light, power, water, gas and electricity	12,000 00	
Household supplies	5,000 00	
Farm, stable and grounds supplies	4,500 00	
Medical, surgical and chemical supplies	300 00	
Stationery and office supplies	450 00	

Educational, recreational and library supplies	250 00	
Vehicular transportation supplies	400 00	
Replacement of farm equipment	3,500 00	
		49,900 00
Current repairs		3,000 00
Services Other Than Personal:		
Traveling expenses ..	$150 00	
Telephone and telegraph	700 00	
Insurance (other than fire)	236 79	
Miscellaneous expenses	100 00	
		1,186 79
Additions and Improvements:		
New painting materials and supplies	$500 00	
Extraordinary repairs	1,900 00	
		2,400 00
		$129,576 79

X 24. Village for Epileptics

For salaries and wages, and for maintenance of the Village for Epileptics on the basis of one thousand five hundred fifty inmates.

Salaries and Wages:	
Superintendent	$8,000 00
Senior resident physician	5,000 00

Other officers and employees	393,713 80	
Medical and surgical fees	800 00	
Religious services	1,000 00	
		$408,513 80
Materials and Supplies:		
Food	$118,000 00	
Clothing	12,000 00	
Heat, light, power, water, gas and electricity	60,000 00	
Household supplies	30,000 00	
Farm, stable and grounds supplies	30,000 00	
Medical, surgical and chemical supplies	12,000 00	
Stationery and office supplies	800 00	
Industrial and vocational supplies	700 00	
Educational, recreational and library supplies	800 00	
Vehicular transportation supplies	3,000 00	
Other materials and supplies	1,350 00	
Replacement of printing press	2,000 00	
		270,650 00
Current repairs		18,000 00
Services Other Than Personal:		
Traveling expenses	$1,000 00	
Telephone and telegraph	1,500 00	
Insurance (other than fire)	500 00	
Freight and express	100 00	

Entertainment expenses	500 00	
Funeral expenses	300 00	
Miscellaneous expenses	100 00	
		4,000 00
Additions and Improvements:		
New floor covering	$1,500 00	
Reconstruction of kitchen facilities	5,000 00	
Extraordinary household supplies	3,000 00	
Purchase of gas ranges	2,000 00	
		11,500 00
Unclassified:		
Compensation award granted to Clarence Parker	$31 65	
Partial compensation award — Leo J. Smith	150 72	
		182 37
		$712,846 17

X 25. Vineland State School

For salaries and wages, and maintenance of the Vineland State School, on the basis of one thousand seven hundred inmates.

Salaries and Wages:	
Superintendent	$7,500 00
Physicians, executive assistants, clerks, mechanics and	

others, present, $273,435.40; new, $11,460.00	284,895 40	
Medical, surgical and oculist fees	2,500 00	
Religious services	500 00	
		$295,395 40
Materials and Supplies:		
Food	$110,500 00	
Clothing	22,500 00	
Heat, light, power, water, gas and electricity	47,000 00	
Household supplies	21,000 00	
Farm, stable and grounds supplies	29,000 00	
Industrial and vocational supplies	1,400 00	
Medical, surgical and chemical supplies	5,500 00	
Stationery and office supplies	900 00	
Vehicular transportation supplies	1,500 00	
Educational, recreational and library supplies	1,600 00	
Other materials and supplies	150 00	
Replacement of motion picture machine	500 00	
Resurfacing of roofs, various buildings	3,000 00	
		244,550 00
Current repairs		13,500 00

Services Other Than Personal:		
Traveling expenses ..	$1,100 00	
Telephone and telegraph	1,600 00	
Insurance (other than fire)	400 00	
Entertainment expenses	1,000 00	
Funeral expenses ...	500 00	
Freight and express..	200 00	
		4,800 00
Additions and Improvements:		
Alteration to kitchen and ice boxes	$5,000 00	
Rebuild and extend sewage tank	3,000 00	
		8,000 00
Unclassified:		
Compensation award to Randolph Cobianchi		520 00
		$566,765 40

This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

SOCIAL SECURITY SUBSIDIES (IN CONFORMANCE WITH FEDERAL LEGISLATION)

X 26. STATE SUBSIDY FOR DIVISION OF OLD AGE ASSISTANCE

For the purpose of making payments for Old Age Assistance pursuant to chapter 7 of Title 44 of the R. S.... $2,820,000 00

The balance remaining in the appropriations for reimbursement to the counties for the State Subsidy for Old Age Assistance for the fiscal year ending June 30, 1944, including State's net share of reimbursement, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7–14 R. S. during the fiscal year ending June 30, 1944, or so much thereof as may be necessary, is hereby reappropriated.

X 27. STATE SUBSIDY FOR MAINTENANCE OF CHILDREN UNDER THE CARE OF THE BOARD OF CHILDREN'S GUARDIANS

For the purpose of making payments for the maintenance of children under the care of the Board of Children's Guardians pursuant to chapter 5 of Title 30 of the Revised Statutes $1,500,000 00

The balance remaining in the appropriations for the State Subsidy for maintenance of children under the care of the State Board of Children's Guardians for the fiscal year ending June 30, 1944, together with

the net balance of Federal funds pursuant to chapter 5 of Title 30 of the Revised Statutes, or so much thereof as may be necessary, is hereby reappropriated.	
There is hereby appropriated to the State Board of Children's Guardians any sums of money received heretofore by it from the several counties as the county share of assistance to children, and the board is authorized and empowered to credit said sums to the several counties prorated on the basis of the total cost of assistance in each county, said sums representing credits due said counties.	
Total State Fund Appropriation . . .	$44,965,317 75

Appropriations for Deficiencies in Prior Fiscal Years

C 5. Court of Pardons

To reimburse current appropriation for funds used to meet deficiencies in previous appropriations due to change in court rulings and requirements for additional services of members of court	$2,160 00

E 2. Commissioner of Education

To reimburse school districts for one-half of excess cost of educating crippled children for school year ending June 30, 1943, and for school year ending June 30, 1944 (deficiency) estimated	117,633 01

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the superintendent of public instruction are required to be deducted pursuant to R. S. 18:10–31.

E 4. Evening Schools for Foreign-Born Residents

Deficiency in appropriation for fiscal year 1942-1943, payment to be made pursuant to R. S. 18:10–31	5,311 12

E 5. Industrial Education

For reimbursement to school districts for manual training expenses for the school year 1942-1943 (deficit fiscal year 1943-1944)	114,588 94

Payments under this account to be made pursuant to R. S. 18:10–31.

E 18. Vocational Schools

For reimbursement for State aid to vocational schools, fiscal year 1943-1944 (deficiency)	8,736 51

Payments under this account to be made pursuant to R. S. 18:10–31.

State School Tax Deficiency

For deficiency for the support of free public schools for the school year 1943-1944 from the General State Fund which sum shall be transferred by the State Treasurer to the reserve fund of the State school tax and when so transferred paid out of the treasury of this State on certification of the Commissioner of Education in order that all school districts of the State shall receive from State apportionments the quotas prescribed	2,388,428 16

Claims

A 4. COMPTROLLER'S DEPARTMENT

Giunco's Market, for maintenance supplies furnished the Governor's Cottage, Sea Girt, during the months of August and September, 1941, the Comptroller of the Treasury being hereby authorized to pay this claim	$6,169 00

A 8. SECRETARY OF STATE

Hudson Dispatch, for carting, shipping and delivering volumes of the Revised Statutes, fiscal year 1941	1,818 37

X 15. State Board of Children's Guardians

Walter C. Hall, for milk furnished the State Board of Children's Guardians, for the fiscal years 1938 to 1943, inclusive	1,738 02	
		9,725 39
Total Deficiency Appropriations		$2,646,583 13

The foregoing amounts appropriated for deficiencies in prior fiscal years shall be available for expenditure immediately upon passage of this act.

Special Defense Appropriations

A 16. Executive Assistant for Defense

The unexpended balance as of June 30, 1944, pursuant to chapter 251, laws of 1942, is hereby reappropriated.

G 1. Adjutant-General's Department

Compiling lists of eligible voters from New Jersey in the armed forces, pursuant to chapter 351, laws of 1941	$60,000 00

G 2. New Jersey State Guard and/or National Guard

Equipping and maintenance pursuant to chapter 217, laws of 1942	50,000 00

A 20. Office of Civilian Defense Director

For salaries and expenses of the Civilian Defense Director	50,000 00
The unexpended balance June 30, 1944, of the amount appropriated to the Civilian Defense Director is hereby reappropriated, not to exceed $100,000.00.	
Total Special Defense Appropriations	$160,000 00
Total amount appropriated State fund, deficiency appropriations and special defense appropriations ..	$47,771,900 88

Trust and Dedicated Funds

State School Fund

2. The following sums or so much thereof as may be necessary are hereby appropriated out of the income of the school fund for the purposes specified:

Free Public Schools

For the support of free public schools	$500,000 00

Premiums and Accrued Interest

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of the public schools.

School Fund Expenses

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof	4,500 00

Refunds

Whenever by the conversion of a lease into a grant, or by the execution of a new lease, the rental that has been paid in advance to the State for land under water under riparian lease is in excess of the amount actually accruing and owing thereunder, the same has been carried to the credit of the trustees of the school fund, the State Treasurer, upon warrant of the Comptroller, is hereby authorized and directed at any time upon application of the persons entitled to the same, to repay such excess from the income of the school fund.	
	$504,500 00

3. The following sums or so much thereof as may be necessary are hereby appropriated from the free balances and dedicated and trust fund revenues as follows:

Board of Fish and Game Commissioners

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and game farms.

All receipts from hunters' and anglers' licenses pursuant to the provisions of article 1, chapter 3 of Title 23; R. S. 23:3–3, R. S. 23:3–23 to 27.

All receipts, licenses and sales pursuant to the provisions of R. S. 52:18–31.

All fines pursuant to the provisions of R. S. 23:10–19.

All such receipts as are above set forth, and any balance of receipts that may not have been disbursed on or before the end of the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, are hereby appropriated to the Board of Fish and Game Commissioners, but there may only be expended of said receipts and balance the amounts as itemized below, and for bills incurred during the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and no portion of any receipts shall lapse into the general funds of the State; *provided, however,* that an excess may be expended and is hereby appropriated above the amounts herein below indicated when expressly approved by the

State House Commission, but limited to the amount of the receipts of the board for the fiscal year.

Salaries:		
Executive secretary ..	$5,500 00	
Assistant secretary ..	4,200 00	
Assistant protectors, wardens, superintendents and other officers and employees	190,822 00	
		$200,522 00
Materials and Supplies:		
Food for fish and game	$73,300 00	
Clothing (uniforms)..	1,500 00	
Heat, light, power, water, gas and electricity	6,800 00	
Stationery and office supplies	1,250 00	
Vehicular transportation supplies	24,405 00	
Purchase of live fish and game	25,000 00	
Farm and stable supplies	6,000 00	
Other materials and supplies	200 00	
		138,455 00
Current repairs		2,000 00
Services Other Than Personal:		
Printing	$2,500 00	
Hunting and fishing licenses	2,000 00	
Traveling expenses ..	5,000 00	
Telephone and telegraph	1,450 00	

Garage rent, including boat storage	7,500 00	
Postage	2,000 00	
Insurance (fire)	1,011 00	
Insurance (other than fire)	2,489 66	
Miscellaneous expenses	2,400 00	
		26,350 66
		$367,327 66

State Board of Milk Control

Salaries:		
Director	$10,000 00	
Other officers and employees	75,481 20	
Fees (members of board)	3,600 00	
		$89,081 20
Materials and Supplies:		
Vehicular transportation supplies	$3,000 00	
Stationery and office supplies	1,900 00	
Other materials and supplies	100 00	
		5,000 00
Services Other Than Personal:		
Traveling expenses	$5,000 00	
Telephone and telegraph	1,350 00	
Rents	6,000 00	
Printing	200 00	
Postage	3,000 00	
Miscellaneous expenses	2,524 00	
		18,074 00

Additions and Improvements:		
Office furniture and equipment	$200 00	
New filing equipment.	100 00	
		300 00
		$112,455 20

Morris Canal Fund

Salaries	$8,311 00	
Materials and supplies.	689 00	
Current repairs	500 00	
Services other than personal	500 00	
Additions and improvements	1,100 00	
		$11,100 00

Provided, however, that there shall be refunded to the State fund such amounts as have heretofore been advanced from said fund to the Morris Canal Fund whenever and to the extent that the canal funds exceed the liabilities of said fund for the balance of the fiscal year 1945.

State Forest Fund

Silvicultural improvement of the State forests	$12,000 00

State Purchase Department and State Purchase Fund

The unexpended balance of the State Purchase Fund is hereby reappropriated, together with such sums as may be returned to the State Treasury for the reimbursement of said fund, so that a "Purchase Fund" not exceeding $350,000.00 will be established and maintained for the purpose of making payments for purchases pursuant to the purchase act (chapter 25 of Title 52 of the R. S.), and for the expenses of handling, storing and transporting purchases so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use so as to reimburse the said "Purchase Fund" for said purchases when so made; said amounts so appropriated to be credited to said fund when deposited in the State Treasury for disbursement in accordance with the provisions of said chapter 25 of Title 52 of the R. S. The above fund shall be a revolving fund and the unexpended balances and reimbursements above mentioned shall constitute said fund for the purpose of carrying out the provisions of said purchase act; *provided, however,* that any sum or sums in excess of the amount hereby appropriated received by the Purchasing Agent from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State; *provided, however,* that the State House Commission, on application of the State Purchase Commissioner, may transfer to the State Purchase Fund, from time to time, moneys appropriated to any spending agency, said moneys so transferred to be returned to the funds from which they were taken during the fiscal year for which said appropriations were made.

STATE TAX DEPARTMENT

Outdoor Advertising Division

Salaries:		
Other employees		$48,516 18
Materials and Supplies:		
Motor vehicular transportation supplies..	$3,450 00	
Stationery and office supplies	1,800 00	
Office equipment replacement	100 00	
Billboard license tags.	2,000 00	
		7,350 00
Services Other Than Personal:		
Traveling expenses ..	$1,125 00	
Telephone and telegraph	750 00	
Rents	3,708 00	
Insurance (other than fire)	654 00	
Printing, binding, photographing and blueprinting	425 00	
Postage	1,050 00	
Miscellaneous expenses	375 00	
		8,087 00
Unclassified Expenditures:		
Refunds		75 00
Excess revenues proportionately divided among municipalities in which billboards are located, approximately, in accordance with provisions of R. S. 54:40–7		27,171 82
		$91,200 00

Public Shooting and Fishing Grounds Fund

Salaries	$30,164 00
Materials and supplies	25,000 00
Current repairs	300 00
Services other than personal	3,000 00
Additions and improvements	250 00
New buildings and land	25,000 00
State's contribution pursuant to chapter 157, laws of 1938	14,950 00
	$98,664 00

DEPARTMENT OF LABOR

Bureau of Explosives

Salaries	$6,812 00	
Rent	1,800 00	
Equipment	1,500 00	
		$10,112 00

Industrial Homework Division

Salaries	$9,480 00	
Rent	660 00	
Court costs	200 00	
		$10,340 00

Bureau of Structural Inspection

Salaries	$21,260 00	
Supplies and equipment	3,380 00	
Printing	500 00	
Rent	2,280 00	
Miscellaneous expenses	500 00	
		$27,920 00
		$48,372 00

Municipal Aid Administration

The unexpended balance in the Municipal Aid Administration Fund, amounting to $700,000.00 and $794,494.02 to be transferred from the General State Fund is hereby reappropriated, as follows:

Salaries:		
Director	$7,500 00	
Deputy director	5,200 00	
Other assistants	100,535 52	
		$113,235 52
Materials and Supplies:		
Medical, surgical and chemical supplies ..	$15 00	
Vehicular transportation supplies	500 00	
Stationery and office supplies	1,500 00	
Educational, recreational and library supplies	150 00	
Photographing, blueprinting and drafting supplies	40 00	
Office equipment replacement	500 00	
		2,705 00
Current repairs		750 00
Services Other Than Personal:		
Traveling expenses ..	$9,500 00	
Telephone and telegraph	1,800 00	
Rents	5,610 00	
Insurance (fire)	133 50	
Insurance (other than fire)	400 00	

Freight, express and cartage	150 00	
Household expenses	20 00	
Subscriptions	190 00	
Printing, binding, photographing and blueprinting	3,000 00	
Postage	2,500 00	
Miscellaneous expenses	500 00	
		23,803 50
Extraordinary Expenditures:		
Expenses in connection with the Federal school lunch and commodities program	$34,000 00	
To the Comptroller for payment of expenses of continuing audits in municipalities	70,000 00	
For relief subsidies and contingencies (operated on a calendar year basis for 1944)	1,250,000 00	
		1,354,000 00
		$1,494,494 02

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, Department of Agriculture receipts pursuant to R. S. 4:10–9, United States appropriation to Agricultural College, taxes for the use of taxing districts

in this State, Grade Crossing Elimination Fund, appropriated Emergency Relief and Municipal Aid Funds, Forest Fire Fund, Forest Nursery Fund, Forest Land Fund, Workmen's Compensation Tax Fund, Educational Aid Fund, moneys directed by any law to be paid to the Teachers' Pension and Annuity Fund, 1837 Surplus Revenue Fund income, State Police Retirement Fund, Clerk in Chancery Enrollment Fund, unclaimed accounts of patients and prisoners in State Institutions, Unemployment Compensation Commission, Compensation awards, Billboard Regulation Fund, moneys received by the several institutions representing garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed, Vocational Schools, funds received by the sale of articles made in occupational therapy departments of the several institutions, said funds to be devoted to the purchase of additional materials, Crippled Children's Commission, High Point Park Commission, Palisades Interstate Park Commission, Interconnection Revolving Fund of the State Water Policy Commission, Federal funds subsidizing the State under the Social Security Act, and such other Federal funds used to match State appropriations in P.W.A. and W.P.A. projects, moneys received from tuition for extension in summer school courses, which last named moneys shall be paid pursuant to the laws applicable thereto; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to R. S. 13:8–9; moneys received by the Quartermaster-General under the provisions of article 3, chapter 2–38 of R. S.; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the State Comptroller.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however,* that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

6. The Comptroller of the Treasury is hereby authorized, empowered, directed, and it shall be his duty to make such correction of the title or text, or both, of an appropriation, necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Comptroller and filed in the Department of the Comptroller of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

7. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of this State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriations may have been made as in his judgment may best conserve the interest of the State.

8. The State House Commission is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State building and appurtenances thereto, herein contained, to the appropriation for the division of architecture and construction of the Department of Institutions and Agencies a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

9. The Comptroller of the Treasury may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum, not in excess of three hundred dollars ($300.00), to establish a petty cash fund, for the payment of expenses not in excess of ten dollars ($10.00). The allotments thus made by the Comptroller shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Comptroller of the Treasury for audit, and the Comptroller of the Treasury shall likewise make regulations governing disbursements from petty cash funds.

10. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department, to transfer such appropriations to such department as shall be charged with the responsibility of administering the functions of such department so transferred as aforesaid.

11. This act shall take effect on the first day of July, one thousand nine hundred and forty-four.

Approved April 17, 1944.

CHAPTER 151

AN ACT concerning taxation, and amending section 54:4–2.1 of the Revised Statutes.

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

1. Section 54:4–2.1 of the Revised Statutes is amended to read as follows: Section amended.

54:4–2.1. All lands, except riparian lands and lands excepted by section 54:4–2.2 of this Title, owned by or held in trust for the State, which are used or to be used for State purposes, whether the title thereto be in the name of the State, or any board, commission or corporation, shall be taxed in the municipality wherein such lands are situate, for municipal and local school purposes, unless the aggregate area of such lands is less than nine per centum (9%) of the total area of the municipality after deducting from the total area of the municipality so much thereof, if any, as is exempt from taxation because it comprises State forests, State parks, riparian lands, lands held by the State Board of Proprietors or lands held for highway, bridge or tunnel purposes or is exempt from taxation under the provisions of article one of chapter eight of the Title "Conservation and Development—Parks and Reservation" (§13:8–1 et seq.), or sections 54:4–5 or 54:4–6 of this Title. Said lands shall be assessed at the same value at which they were assessed at the time they were acquired by the State. There shall not be included in the assessed valuation of such lands any improvements constructed or erected by the State, or by any board or commission having jurisdiction or control of any State institution. Bills for taxes or assessments for any such lands shall be rendered to the State, by the proper municipal authorities in the same manner as to individual property owners. Lands taxed.

and when approved by the State Comptroller, payment shall be made by the State Treasurer to the proper officer of the municipality, which payment shall be made without interest on or before June first of the calendar year following the year in which such bills are payable by individual property owners.

2. This act shall take effect immediately.

Approved April 17, 1944.

CHAPTER 152

AN ACT concerning elections, and amending section 19:45–6 of the Revised Statutes.

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

Section amended.

1. Section 19:45–6 of the Revised Statutes is amended to read as follows:

Compensation district boards.

19:45–6. The compensation of each member of the district boards for all services performed by them under the provisions of this Title shall be as follows:

In counties wherein voting machines are used for all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars ($15.00); for mailing the primary election sample ballots, two dollars ($2.00); for mailing the general election sample ballots, three dollars ($3.00); for all services on general election day, including the counting of votes and delivery of returns and ballot box with contents to the municipal clerk, fifteen dollars ($15.00); for all services at any special election, fifteen dollars ($15.00).

In all other counties for all services rendered in holding the primary election, except services in mailing the ballots, twenty-five dollars ($25.00); for mailing the primary election sample ballots,

two dollars ($2.00); for mailing the general election sample ballots, three dollars ($3.00); for all services on general election day, including the counting of votes and delivery of returns and ballot box with contents to the municipal clerk, twenty-five dollars ($25.00); for all services at any special election, twenty-five dollars ($25.00).

Provided, however, that in counties of the first class no compensation shall be paid to the members of the district board for mailing of primary sample ballots or general election sample ballots. Such compensation shall be in lieu of all other fees and payments. Proviso.

Compensation due each member shall be paid within thirty days but not within twenty days after each election; *provided, however,* that no compensation shall be paid to any such member until ten days after final order has been entered on any recount which may have been allowed affecting such district; *and provided further,* that no compensation shall be paid to any member of any such district board who may have been removed from office or application for the removal of whom is pending under the provisions of section 19:6–4 of this Title. Paid within thirty days. Proviso.

Approved April 18, 1944.

CHAPTER 153

AN ACT concerning insurance, and amending sections 17:28–1 and 17:32–12 of the Revised Statutes.

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

Section amended.

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

Policy not separately cancellable.

17:28–1. When a policy shall insure against more than one hazard or peril, the insurance against any specific hazard or peril shall not be separately cancellable unless the policy shall specify a separate premium for any such insurance so cancellable. No policy of life or endowment insurance or annuity contract authorized pursuant to paragraph "c" of section 17:17–1 of this Title shall assume any hazard or peril specified in any other paragraph of said section 17:17–1 except insurance against bodily injury or death by accident and upon the health of persons as specified in paragraph "d" of the said section. Any policy of liability insurance authorized by paragraphs "d" or "e" of said section 17:17–1 may contain a provision for payment on behalf of the injured party or for reimbursement of the assured for payment of medical, hospital, surgical and funeral expenses incurred as a result of an accident involving the property or interest with respect to which the liability of the assured is covered by the policy, and such provision shall not be deemed to be an accident insurance policy.

Policy may contain a provision for payment.

Section amended.

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

Restriction imposed on foreign corporations.

17:32–12. When by the laws of another State or foreign country or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof, any taxes, fines, penalties,

licenses, fees, deposits of moneys or securities, or other obligations, prohibitions or restrictions additional to, or in excess of, those imposed by the laws of this State upon insurance companies of that other State or foreign country or their agents, are imposed on insurance companies of this State doing business in such other State or foreign country, or upon their agents therein, so long as such laws, rules, regulations, requirements or impositions continue in force, the same excess taxes, fines, penalties, licenses, fees, deposits, obligations, prohibitions and restrictions shall be imposed upon all insurance companies of that State or foreign country doing business in this State, and upon their agents herein; *provided,* that as to restrictions on the kinds of insurance that may be transacted, the foregoing shall not apply if the restrictions in such other State or foreign country apply equally to all insurance companies regardless of where incorporated.

Proviso.

When other State refuses to accept certificate.

When pursuant to or under the authority of the laws of another State or foreign country, or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof, or otherwise, the government of that other State or foreign country, or any department or officer thereof, refuses to accept as conclusive the certificate of the commissioner as to the results of any examination he causes to be made of the assets and liabilities, method of conducting business and other affairs of any insurance company of this State, the commissioner shall refuse to accept as conclusive any similar certificate made in or by, or by any department or officer of such State or foreign country, concerning any insurance company thereof.

Denial of license.

If an insurance company of this State is refused or denied license, permission, privilege or authority to transact or to continue to transact its business in any other State or foreign country by reason of the refusal of conclusive acceptance of any such certificate of the commissioner, or if an insurance company of this State authorized to trans-

act its business in this State, after complying with all the laws, rules, regulations, requirements or impositions of any other State or foreign country, or of any department or officer thereof, over and above such as would be met and fulfilled by the conclusive acceptance of the certificate of the commissioner, is refused or denied license, permission, privilege or authority to transact or to continue to transact its business in such other State or foreign country, then every insurance company of such other State or foreign country shall be refused license, permission, privilege and authority to transact or to continue to transact any business in this State, and any license or authority theretofore given to them shall be revoked and annulled by the commissioner.

Denial of license by another State.

When pursuant to or under the authority of the laws of another State or foreign country, or the rules, regulations, requirements or impositions thereof, or of any department or officer thereof, or otherwise, the government of another State or foreign country, or any department or officer thereof, refuses or denies license, permission, privilege and authority to an insurance company of this State to transact or to continue to transact its business in such other State or foreign country, if it is determined by the commissioner, whose determination thereupon shall be final and conclusive, that the refusal or denial of license, permission, privilege or authority as last aforesaid, is unreasonable or unfair, then the commissioner shall refuse license, permission, privilege or authority to transact or to continue to transact any business in this State to every such company of such other State or foreign country, and any license or authority to them theretofore given shall be by the commissioner revoked and annulled.

3. This act shall take effect immediately.

Approved April 18, 1944.

CHAPTER 154

AN ACT to permit the governing bodies of townships to retire collectors of taxes on pensions, in certain cases.

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

1. The governing body of any township may retire any person, who has served as collector of taxes in the township for twenty-five years and who has attained the age of seventy years, on pension in such amount as shall be determined by said governing body. C. 43:12-57. Collector of taxes may retire.

2. This act shall take effect immediately.

Approved April 18, 1944.

CHAPTER 155

AN ACT concerning the terms of office of township engineers, and amending section 40:145–13 of the Revised Statutes.

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

1. Section 40:145–13 of the Revised Statutes is amended to read as follows: Section amended.

40:145–13. The terms of persons holding the position or office of attorney and treasurer in any township of this State having a population in excess of twenty-four thousand inhabitants and not having the municipal manager form of government is hereby fixed at four years, and any person now Terms of attorney and treasurer.

holding said position or office in any such township in this State and any persons who may be hereafter appointed or elected to either of said positions or offices shall hold said position or office for a term of four years from the first day of January in the year in which said election or appointment was made. The provisions of this act shall not affect or apply to persons now holding or who may hereafter hold either of said positions or offices, who are under tenure of office.

Other appointed officers.

All other appointive officers, except the township engineer and except where otherwise provided, shall hold office until January first next following their appointment. The township engineer shall hold office for a term not exceeding three years which shall terminate on the first day of January of a year. Where a vacancy occurs in any appointive office, the township committee shall fill such vacancy for the unexpired portion of the term thereof; except in the case where the township committee shall grant a leave of absence to join any branch of the armed forces of the United States.

Vacancy.

Officer not to hold over.

No officer shall hold over in his office after the expiration of the term for which he shall have been appointed.

2. This act shall take effect immediately.

Approved April 18, 1944.

CHAPTER 156

AN ACT concerning official advertising, and amending section 35:2–1 of the Revised Statutes.

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

1. Section 35:2–1 of the Revised Statutes is amended to read as follows: Section amended.

35:2–1. The price to be paid for publishing all official advertising as defined in section 35:1–1 of this Title, in newspapers shall be as follows:

a. In newspapers published in cities of the first and second classes, or in counties of the first, second, third and fifth classes, twelve cents ($0.12) per agate (or five and one-half point) line for the first insertion and ten cents ($0.10) per agate line for each subsequent insertion; except that in the case of any newspapers having a bona fide net paid circulation of not less than twenty thousand copies nor more than fifty thousand copies daily or Sunday, the rate shall be twelve cents ($0.12) per agate line per insertion, and in the case of newspapers having a bona fide circulation of fifty thousand copies and not more than seventy-five thousand copies daily or Sunday, the rate shall be fifteen cents ($0.15) per agate line per insertion, and in the case of newspapers having a bona fide net paid circulation in excess of seventy-five thousand copies daily or Sunday, the rate shall be eighteen cents ($0.18) per agate line per insertion, but before any newspaper can charge the foregoing rates, the publisher or business manager of such daily or Sunday newspaper must file with the properly authorized officer of every municipality, county or governing body, placing official advertising in such newspaper, an affidavit setting forth the average net paid circulation of such newspaper for the twelve months' period ending September thirtieth next preceding Rates for official advertising.

and the rate to be charged for official advertising, which in no case shall be in excess of the rates provided in the foregoing schedule.

Ratio in other papers.

b. In all other newspapers, ten cents ($0.10) per agate or nonpareil (or six point) line for the first insertion and eight cents ($0.08) for each subsequent insertion.

Allowances.

In computing the charge per line the lines shall average at least six words but date lines, paragraph endings, titles, signatures and similar short lines shall be computed as full lines where set to conform to the usual rules of composition.

Approved April 18, 1944.

CHAPTER 157

AN ACT concerning elections, and amending section 19:13–15 of the Revised Statutes.

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

Section amended.

1. Section 19:13–15 of the Revised Statutes is amended to read as follows:

Certificate of nomination.

19:13–15. When the State convention of a political party shall have nominated candidates for electors of President and Vice-President of the United States as herein provided, it shall certify such nomination in a written or printed or partly written and partly printed certificate of nomination.

Certificate to contain names of nominees.

The certificate of nomination shall contain the name of each person nominated, his residence and post-office address, the office for which he is named, and shall also contain in not more than three words the designation of the party or principles which such convention or nominating body represents.

The names of the candidates for President and Vice-President for whom such electors are to vote may be included in the certificate. The convention may also appoint a committee to whom shall be delegated the power to fill vacancies, howsoever caused, and the names and addresses of such committee shall be included in the certificate.

Candidates for President and Vice-President may be included.

Committee in vacancies.

The certificate shall be signed by the presiding officer and secretary of such convention or nominating body, who shall add to their signatures their respective places of residence and post-office addresses, and severally make oath before an officer qualified to administer the same that the affiants were respectively such officers of the convention, and that the certificate and the statements contained therein are true as they verily believe. A certificate that such oath has been taken shall be made and signed by the officer administering the same and indorsed upon or attached to the certificate of nomination. Inclosed upon or attached to the certificate shall be statements in writing that the persons named therein accept such nominations.

Certificate signed by presiding officer and secretary.

Acceptance.

The certificate of nomination and the acceptance thereof shall be filed with the Secretary of State not later than one week after the nomination of such electors of President and Vice-President of the United States.

Certificate filed with Secretary of State.

The procedure for all objections to the certificates of nomination, the determination of the validity of such objections, the correction of defective certificates, and the presentation of such certificates and any documents attached thereto, shall be the same as herein provided for direct petitions of nominations.

Objections.

2. This act shall take effect immediately.

Approved April 18, 1944.

CHAPTER 158

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding eight hundred thousand inhabitants," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 160).

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

Section amended.

1. Section nineteen of the act of which this act is amendatory is amended as follows:

C. 43:10-18.19. Member separated from service.

19. (A) Whenever a member of this retirement system becomes separated from the county service because of a lay-off or leave of absence without pay for a cause other than sickness or disability for a period longer than two months, or because of abolishment of position, or, except as provided in subsection (B) hereof, for any other reason other than retirement or entry into military or naval service of the United States, re-enters the service of the county within five years after such separation, all the rights and benefits hereunder enjoyed by such employee prior to such separation shall be restored upon payment of all refunds given to him upon his separation from the service; *provided, however,* that such employee shall not be entitled to receive credit for pension purposes for the time elapsing during such separation period unless he shall pay into this retirement system, in the manner in subsection (C) hereof provided, a sum of money equal in amount to all accrued deductions from his salary which would have been made had such employee continued to be a member of the retirement system since the date of his separation therefrom.

Proviso.

(B) Whenever a member of this retirement system becomes separated from the county service because of (a) a lay-off or leave of absence for a period of time not in excess of two months, (b) a leave of absence with pay, or (c) a leave of absence because of sickness or disability, all the rights and benefits of such member hereunder shall continue, except that such employee's pension benefits hereunder shall be computed by excluding the period of time of such separation period unless he shall pay into this retirement system, in the manner in subsection (C) hereof provided, a sum of money equal in amount to all accrued deductions from his salary which would have been made during the period of time of such separation. Leave of absence.

(C) Such payment may be made either (1) in one sum, or (2) by equal semimonthly installments over a period of not more than five years, but in no event to extend beyond the date upon which such employee attains age sixty years, such installments to be deducted in addition to other regular deductions made from his salary for this retirement system; *provided, however,* that only so much of the said period will be credited as the employee has paid for. Upon such payment being completed, the county shall pay into the retirement system a sum of money equal to such employee's payment, exclusive of the employee's repayment, if any, of refunds. Payments. Proviso.

2. This act shall take effect immediately.

Approved April 18, 1944.

CHAPTER 159

AN ACT concerning highways, and amending section 27:1–11 of the Revised Statutes.

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

Section amended.

1. Section 27:1–11 of the Revised Statutes is amended to read as follows:

Fiscal year.

27:1–11. The fiscal year of the department shall begin on July first and end on June thirtieth of the next year. At the end of each fiscal year the commissioner shall make to the State Comptroller a full financial report showing the available unexpended balances in the several accounts, and all outstanding liabilities under contracts or other financial obligations to counties, municipalities and persons.

Not to affect grants.

2. This act shall in no way affect subventions or grants to counties and municipalities.

3. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 160

AN ACT relating to the sale by municipalities of lands or buildings not needed for public uses, and amending section 40:60–26 of the Revised Statutes.

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

1. Section 40:60–26 of the Revised Statutes is amended to read as follows: Section amended.

40:60–26. The governing body of any municipality may sell any lands or buildings or any right or interest therein not needed for public use. All such sales or disposition except as provided in sections 40:60–27 to 40:60–29 of this Title shall be authorized to be made by one of the following methods: May sell lands

(a) By public sale to the highest bidder after public advertisement thereof in a newspaper circulating in a municipality in which the lands are situated by two insertions at least once a week during two consecutive weeks, the last publication to be not more than seven days prior to the sale. In the case of public sales the governing body of any municipality may by resolution fix a minimum price to be included in the advertisement of sale of lands and public notice thereof given at the time of sale. Such sales may be adjourned at the time advertised for not more than one week without readvertising. Public sale

(b) Such governing body may from time to time by ordinance authorize the sale of any such properties at private sale for a period of time to be stated in said ordinance, which ordinance shall also fix the minimum sale price for each property so to be sold. A list of the Private sale.

properties so authorized to be sold, together with the minimum prices respectively, as determined by the governing body, shall be included in the ordinance and said list shall be posted in the city hall, or in such other municipal building in which the governing body usually holds its regular meetings. Additional copies of said list shall be made available for distribution. Offers for any or all properties so listed may be made to the governing body, at not less than the minimum prices as published by any prospective purchaser or any real estate broker or other persons legally authorized to consummate the transaction. The commission to be paid to any such broker or person consummating a sale, other than the purchaser, shall be not more than five per centum (5%) of the sale price, and may be paid out of the down payment on account of the purchase price.

Commission to be paid.

Sales ratified.

Any and all private sales made in the manner specified shall not become effective until ratified by the governing body of the municipality at a regular meeting.

May sell at private sale.

(c) In place of the above methods the governing body of any municipality may sell any such properties at private sale, as follows: Upon any offer being made by any person to the municipality to purchase any such property, the said offer shall be submitted to and considered by the governing body thereof at a regular or special meeting, and said governing body may then reject said offer, or may approve the same subject to final approval at a further public meeting of said governing body not less than ten days after said first meeting. Notice of the said further meeting of the governing body, containing said offer of purchase with a description of the land to be sold, the price thereof and the terms and conditions of

said sale, shall be published at least once in a newspaper circulating in said municipality, not less than two days nor more than ten days before said further meeting; and at said further meeting the said offer to purchase said property shall be considered by the governing body, which may then reject the same, or may confirm and ratify said sale under said terms and conditions, or a modification thereof; *provided,* that no higher price or better terms shall then be bid for said property by any other person; and said governing body may then authorize the proper officers thereof either to execute a formal agreement of sale with the purchaser which shall be binding upon said municipality and upon the purchaser, or may authorize the proper officers to make a deed of conveyance to said purchaser, as the case may require.

Proviso.

(d) In place of the above methods the governing body of any municipality may sell any such properties at public or private sale upon such terms and conditions as shall be authorized by resolution of said governing body, with the approval in writing of the commissioner of local government.

May sell at private or public sale.

All sales, either public or private, may be for cash or upon credit. The governing body may by resolution fix the time for settlement and payment of the consideration and when the sales are upon credit the municipality may accept a purchase money mortgage to be given by the purchaser or purchasers, the terms and conditions of which mortgage shall be fixed by the resolution of the governing body of the municipality; *provided, however,* that any such mortgage shall be fully payable within five years from the date of the sale and shall bear interest at a rate not less than five per centum (5%) per annum. The governing body may also impose conditions and restrictions on the use to be made of such land in the manner and to the same extent as any other vendor of real estate, whether

Sales may be for cash or credit.

Proviso.

Interest.

such sale shall be made at public or private sale; Proviso. *provided, however,* that any conditions for the payment of the consideration upon credit and any conditions and restrictions on the use to be made of the land shall be set forth at length in any advertisement of sale hereinabove required. In all sales made pursuant to paragraphs (a), (c) or (d) of this section, the governing body of any municipality may pay a commission to any real estate broker or other person other than the purchaser actually Commissions. consummating such sale, but said commissions shall not be more than five per centum (5%) of the sale price.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 161

AN ACT validating certain purchase money mortgages heretofore given a municipality in the sale of public lands upon credit.

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

Sale of lands not needed for public use. 1. Whenever the governing body of any municipality has heretofore sold any lands or buildings or any right or interest thereon not needed for public use, pursuant to chapter sixty of Title 40 of the Revised Statutes, and such sales have been wholly or in part upon credit, and the municipality has accepted a purchase money mortgage fully payable within five years of the day of the sale, but bearing interest at the rate of five per centum (5%) per annum instead of six per centum (6%) per annum as now provided by law, said sales and mortgages Sales valid. given pursuant thereto shall be valid and effectual Proviso. in all respects; *provided,* that in all other respects

the said sales and all proceedings in connection therewith were held in compliance with existing statutes.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 162

AN ACT to amend "An act concerning the administration of relief," approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28).

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

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

12. State aid for relief for each calendar year beginning with the calendar year one thousand nine hundred and forty-four shall be distributed among the various municipalities making written application therefor to the director before July first of such year except those in which relief shall be administered by the director for all or any part of such year, which distribution shall be made by the director by order or orders on the State Comptroller for the payment to each such municipality of an amount to be determined as follows: C. 44:8-98. Determining amount to be distributed.

a. To each municipality whose "preceding year's relief millage" is not more than 1.6 mills, an amount equivalent to forty per centum (40%) of its "current year's relief load"; 40% of current year's relief load.

b. To each municipality whose "preceding year's relief millage" is more than 1.6 mills and is not more than 2.4 mills, an amount equivalent to forty-five per centum (45%) of its "current year's relief load"; 45% of current year's relief load.

50% of current year's relief load.

c. To each municipality whose "preceding year's relief millage" is more than 2.4 mills and is not more than 2.8 mills, an amount equivalent to fifty per centum (50%) of its "current year's relief load";

52% of current year's relief load.

d. To each municipality whose "preceding year's relief millage" is more than 2.8 mills and is not more than 3.2 mills, an amount equivalent to fifty-two per centum (52%) of its "current year's relief load";

54% of current year's relief load.

e. To each municipality whose "preceding year's relief millage" is more than 3.2 mills and is not more than 3.4 mills, an amount equivalent to fifty-four per centum (54%) of its "current year's relief load";

56% of current year's relief load.

f. To each municipality whose "preceding year's relief millage" is more than 3.4 mills and is not more than 3.6 mills, an amount equivalent to fifty-six per centum (56%) of its "current year's relief load";

58% of current year's relief load.

g. To each municipality whose "preceding year's relief millage" is more than 3.6 mills and is not more than 4.0 mills, an amount equivalent to fifty-eight per centum (58%) of its "current year's relief load";

60% of current year's relief load.

h. To each municipality whose "preceding year's relief millage" is more than 4.0 mills, an amount equivalent to sixty per centum (60%) of its "current year's relief load";

Director may make advance payments.

The director may make payments under the above-stated formula to any such municipality from time to time in advance of the determination of such municipality's "current year's relief load" on the basis of estimates made by him of such municipality's current year's relief load making such adjustments in later payments to such municipality's actual "current year's relief load" when determined, as may be required.

Director authorized to make deductions.

The director shall deduct from the amount of one thousand nine hundred and forty-one State aid due to any municipality an amount equal to the amount by which State aid for relief paid to the munici-

pality by the State for the year one thousand nine hundred and forty exceeded one hundred per centum (100%) of the cost of relief, exclusive of the cost of administration thereof for the year one thousand nine hundred and forty. If the amount of State aid due any municipality for the year one thousand nine hundred and forty-one did not equal the amount of such excess State aid paid the municipality for the year one thousand nine hundred and forty, the director shall withhold any State aid due the municipality for the year one thousand nine hundred and forty-two and subsequent years, if necessary, until the amount of State aid withheld from the municipality equals the total amount of such excess State aid paid to the municipality for the year one thousand nine hundred and forty.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 163

AN ACT for the protection of woodchucks, and amending sections 23:4–1 and 23:4–12 of the Revised Statutes.

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

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

23:4–1. No person shall capture, kill, injure, destroy or have in possession any quail, rabbit, hare, gray, black or fox squirrel, raccoon, woodchuck, English or ring-necked pheasant, ruffed grouse, wild turkey, partridge, reedbird, wild swans, wood duck, wild geese, brant, wild ducks, rails or marsh hens, gallinules, coot (commonly known as crow Open and closed season for certain game.

duck), upland plover, blackbellied plover, golden plover, greater or lesser yellowlegs; willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers, Wilson snipe or jacksnipe, woodcock or any other birds commonly known as shore birds, surf snipe or bay snipe, or any other game bird or game animal, unless an open season is prescribed therefor, and then only during the respective open seasons fixed by this section.

The open seasons shall be as follows: for

Open season. Wild geese, brant, wild ducks, except wood duck, coot, Wilson snipe or jacksnipe, gallinules, sora, marsh hen or mud hen and other rails (other than coot) and woodcock, shall be the same as the open season fixed for such birds by the regulations of the United States Bureau of Biological Survey, made under the provisions of an Act of Congress relating to migratory birds;

Quail, rabbit, hare, gray, black or fox squirrel, male English or ring-necked pheasant, ruffed grouse, or partridge, except as hereinafter in this article is restricted, from November tenth to December fifteenth; *provided, however,* no person shall capture, kill, injure, destroy or have in his possession any of the birds or animals mentioned in this paragraph on the first day of any open season for such birds and animals before nine ante meridian.

Proviso.

Woodchuck, from July first to September thirtieth; *provided, however,* that woodchuck may be taken at any time from cultivated farms by landowners or occupants of farms, members of their family, guests or hired help.

Proviso.

Raccoon, from October fifteenth to January fifteenth between sunset and sunrise only, except during the open season for deer.

The birds and animals for which an open season is prescribed by this section may be possessed during the respective open seasons therefor and for the additional period of ten days immediately succeeding the open seasons.

A person violating any provision of this section shall be liable to a penalty of twenty dollars ($20.00) for each bird or animal or part thereof unlawfully captured, killed, injured, destroyed or had in possession.

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

23:4–12. No person shall kill, destroy or injure, pursue with intent to kill or injure or in any manner attempt to take or injure, any anatidae commonly known as swans, geese, brant and river and sea ducks; rallidae, commonly known as rails, gallinules, coots and mud hens; limicolae, commonly known as shore birds, surf snipe or bay snipe, among them being yellowlegs, plovers, willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers and woodcocks, gallinae, commonly known as wild turkey, grouse, prairie chickens, pheasants, partridge and quails; or any hare commonly known as rabbit; gray, black or fox squirrels; or any other game bird or game animal, except in the manner usually known as hunting with a gun, the gun being not larger than ten gauge and held at arm's length and fired from the shoulder without rest, or by the use of bow and arrow under a penalty of twenty dollars ($20.00) for each offense; *provided, however,* that woodchucks, commonly called groundhogs, may be dug out of their dens or killed in any manner, at any time, by landowners or occupants of farms, or by members of their family, guests, or hired help, when such dens are located on farms, and woodchucks may also be taken in any manner during the regular open woodchuck season by any other person. Hunt with gun. Proviso.

3. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 164

AN ACT concerning procedure in district courts, and amending section 2:32–82 of the Revised Statutes.

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

Section amended.

1. Section 2:32–82 of the Revised Statutes is amended to read as follows:

May serve written interrogatories.

2:32–82. After the service of the summons or warrant, as the case may be, in any action in a district court, wherein the thing or matter in dispute as shown by the summons or warrant is of the value of fifty dollars ($50.00) or over, either party may, by leave of court, serve on the adverse party, whether a natural person or a corporation, written interrogatories upon any matter material to the issue.

Answers to interrogatories.

Written answers to the interrogatories shall be served within seven days after service of the interrogatories, or such other time as the judge may direct. The answers shall be under oath and shall be strictly responsive to the interrogatories.

Answers amended.

The judge may, for good cause shown and on notice to the adverse party, order any of the interrogatories stricken or amended or new ones added, or grant further time for answering, or order or permit the answers to be amended.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 165

AN ACT concerning district courts, and amending section 2:8–23 of the Revised Statutes.

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

1. Section 2:8–23 of the Revised Statutes is amended to read as follows: Section amended.

2:8–23. The annual salaries of the clerks of the district courts, which shall be in lieu of all fees whatsoever, shall be as follows: Annual salaries.

a. In counties of the first class:

(1) In cities having not less than two hundred thousand nor more than four hundred thousand inhabitants, not less than three thousand dollars ($3,000.00) nor more than four thousand dollars ($4,000.00); Salaries in certain cities.

(2) In cities having more than four hundred thousand inhabitants, not less than four thousand dollars ($4,000.00) nor more than five thousand dollars ($5,000.00);

(3) In cities having between two hundred thousand and thirty-five thousand inhabitants, not less than two thousand eight hundred dollars ($2,800.00) nor more than three thousand five hundred dollars ($3,500.00);

(4) In cities having between thirty-five thousand and twenty thousand inhabitants, not less than one thousand eight hundred dollars ($1,800.00) nor more than two thousand five hundred dollars ($2,500.00);

(5) In judicial districts having more than fifty-five thousand inhabitants, not less than two thousand eight hundred dollars ($2,800.00) nor more than three thousand five hundred dollars ($3,500.00);

(6) In judicial districts having less than fifty-five thousand inhabitants, not less than

one thousand five hundred dollars ($1,500.00) nor more than two thousand five hundred dollars ($2,500.00).

Salaries in counties other than counties of first class.

b. In counties other than counties of the first class and counties having between two hundred thousand and five hundred thousand inhabitants;

(1) In cities having two hundred thousand or more inhabitants, three thousand three hundred dollars ($3,300.00);

(2) In cities having between two hundred thousand and forty-five thousand inhabitants, three thousand dollars ($3,000.00);

(3) In cities having between forty-five thousand and twenty-five thousand inhabitants, two thousand four hundred dollars ($2,400.00);

(4) In cities having between twenty-five thousand and twenty-three thousand inhabitants, one thousand eight hundred dollars ($1,800.00);

(5) In cities having between twenty-three thousand and seventeen thousand inhabitants, one thousand five hundred dollars ($1,500.00);

(6) In cities of the fourth class situate on the Atlantic ocean and having more than fifty thousand inhabitants, three thousand dollars ($3,000.00);

(7) In judicial districts having one hundred thousand or more inhabitants, two thousand eight hundred dollars ($2,800.00);

(8) In judicial districts having between one hundred thousand and forty-five thousand inhabitants, two thousand five hundred dollars ($2,500.00);

(9) In judicial districts having a population of forty-five thousand or less, one thousand five hundred dollars ($1,500.00), except in such judicial districts in which the courts shall be held at more than one place in the district at stated periods, in which districts it shall be two thousand dollars ($2,000.00).

c. In counties having between two hundred thousand and five hundred thousand inhabitants;

(1) In judicial districts having less than forty-five thousand inhabitants, not less than one thousand eight hundred dollars ($1,800.00) nor more than two thousand three hundred dollars ($2,300.00);

(2) In judicial districts having between forty-five thousand and eighty thousand inhabitants, not less than two thousand five hundred dollars ($2,500.00) nor more than three thousand dollars ($3,000.00);

(3) In judicial districts having eighty thousand or more inhabitants, not less than three thousand dollars ($3,000.00) nor more than three thousand five hundred dollars ($3,500.00).

Except as provided by section 2:8–30 of this Title, the amount of the salary to be paid to each clerk of a district court shall, between the minimum and maximum amounts prescribed by this section, be fixed by the judge of the district court to which the clerk is or may be appointed, at any time during the term of office of such clerk. Amount of salary.

The salaries of the clerks of the district courts shall be paid by the cities in which such courts are or may be established, and by the county treasurer of the counties in which a judicial district has been or may be incorporated, in semimonthly installments, to be computed from the date of the appointment of such clerks, or their increase in salary, if any. Salaries paid by.

This section shall not affect the salaries of clerks of district courts in judicial districts where the clerk is serving in the dual capacity of district court clerk and county clerk.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 166

AN ACT concerning the practice of medicine and surgery, and amending sections 45:9–8 and 45:9–16 of the Revised Statutes, and supplementing chapter nine of Title 45 of the Revised Statutes.

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

Section amended.

1. Section 45:9–8 of the Revised Statutes is amended to read as follows:

Additional requirements.

45:9–8. Except as otherwise provided in this chapter (45:9–1 et seq.), every applicant for admission to examination for a license to practice medicine and surgery shall, in addition to the requirements set forth in sections 45:9–6 and 45:9–7 of this Title, prove to the board that he has received a diploma from some legally incorporated professional school or college of the United States, which school or college, in the opinion of the board, was in good standing at the time of the issuance of the diploma, or a diploma or license conferring the full right to practice all of the branches of medicine and surgery in some foreign country, or if the said foreign country is engaged in war at any time during the next three years and the said applicant before June thirtieth, one thousand nine hundred and forty-four, satisfactorily proves to the board that he has been a resident of the State of New Jersey for the past ten years, he shall present a diploma from a professional school or college which in the opinion of the board was in good standing at the time of the issuance of the diploma, and shall further prove that, prior to the receipt of such diploma from any such professional school or college of the United States, or such diploma or license, as aforesaid, he had studied not less than four full school years, including four satisfactory courses of lectures of at least eight months each,

consecutively or in four different calendar years, in some legally incorporated and registered American or foreign professional school or schools, college or colleges in good standing in the opinion of the board, which courses shall have included a thorough and satisfactory course of instruction in medicine and surgery; and such applicant, if he has graduated from a professional school or college after July first, one thousand nine hundred and sixteen, shall further prove to the board that, after receiving such diploma or license, he has completed an interneship acceptable to the board for at least one year in a hospital approved by the board, or in lieu thereof he has completed one year of post-graduate work acceptable to the board in a school or hospital approved by the board; *provided, however,* that the board may in its discretion, during the present war between the United States, Germany, Italy and Japan and for a period of three months after the cessation of the same, admit an applicant to examination for a license to practice medicine and surgery who has completed not less than nine months of an interneship acceptable to the board in a hospital approved by the board.

Section amended.

2. Section 45:9–16 of the Revised Statutes is amended to read as follows:

Board may refuse to grant license.

45:9–16. The board may refuse to grant or may suspend or revoke a license or the registration of a certificate or diploma to practice medicine and surgery filed in the office of any county clerk in this State under any act of the Legislature, upon proof to the satisfaction of the board that the holder of such license (a) has been adjudicated insane, or (b) habitually uses drugs or intoxicants, or (c) has practiced criminal abortion, or been convicted of the crime of criminal abortion, or has been convicted of crime involving moral turpitude, or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information, or complaint alleging the commission of the crime of criminal abortion or of crime involving moral tur-

Adjudicated insane.

Uses drugs.

Practiced criminal abortion.

Advertised fraudulently.

pitude, or (d) has advertised fraudulently, (e) becomes employed by any physician, surgeon, homeopath, eclectic, osteopath, chiropractor, or doctor who advertises fraudulently, or (f) shall have presented to the board any diploma, license or certificate that shall have been illegally obtained or shall have been signed or issued unlawfully or under fraudulent representations, or obtains or shall have obtained a license to practice in this State through fraud of any kind, or (g) has been guilty of employing unlicensed persons to perform work which, under this chapter (45:9–1, et seq.) can legally be done only by persons licensed to practice medicine in this State, or (h) has been convicted of a violation of or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs. Before any license, or registration of a certificate or diploma to practice medicine or surgery filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked, except in the case of convictions of criminal abortions or convictions of a crime involving moral turpitude or plea of nolo contendere, non vult contendere or non vult to indictment, information, or complaint alleging commission of the crime of criminal abortion or crime involving moral turpitude, or convictions of violations of or pleas of nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging violations of any Federal or State law relating to narcotic drugs, the accused person shall be furnished with a copy of the complaint and be given a hearing before said board in person or by attorney, and any person whose license shall be suspended or revoked in accordance with this section shall be deemed an unlicensed person during the period of such suspension or revocation, and as such shall be subject to the penalties hereinafter prescribed for persons who practice medicine and/or surgery, without first having

Has been convicted.

Accused furnished copy of complaint.

obtained a license so to do. Any person whose license, or registration of a certificate or diploma to practice medicine and/or surgery filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked under the authority of this chapter (45:9–1, et seq.) may, in the discretion of the board, be relicensed at any time to practice without an examination, or have his registration of a certificate or diploma, as aforesaid, reinstated, on application being made to the board.

Record of conviction.

The record of conviction or the record of entry of a plea of nolo contendere, non vult contendere or non vult in any of the courts of this State, or any other State of the United States, or any of the courts of the United States, or the court of any foreign nation, shall be sufficient warrant for the board to refuse to grant or to suspend or revoke the license or the registration of a certificate or diploma to practice medicine and surgery filed in the office of any county clerk in this State under any act of the Legislature.

C. 45:9-27.4. Payment of penalty.

3. Payment of a penalty or any part thereof for any alleged violation of chapter nine of Title 45 of the Revised Statutes, either before or after the institution of proceedings for the collection thereof, shall be deemed equivalent to a conviction of the violation for which such penalty was claimed.

4. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 167

AN ACT concerning the practice of medicine and surgery, and amending section 45:9–21 of the Revised Statutes.

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

Section amended.

1. Section 45:9–21 of the Revised Statutes is amended to read as follows:

Prohibitory provisions not to apply.

45:9–21. The prohibitory provisions of this chapter shall not apply to the following:

Commissioned surgeon of Army or Navy.

a. A commissioned surgeon or physician of the regular United States Army, Navy or Marine hospital service while so commissioned and actively engaged in the performance of his official duties. This exemption shall not apply to reserve officers of the United States Army, Navy or Marine Corps, or to any officer of the National Guard of any State or of the United States;

Qualified physician of another state.

b. A lawfully qualified physician or surgeon of another State taking charge temporarily, on written permission of the board, of the practice of a lawfully qualified physician or surgeon of this State during his absence from the State, upon written request to the board for permission so to do. Before such permission is granted by the board and before any person may enter upon such practice he must submit proof that he can fulfill the requirements demanded in the other sections of this article relating to applicants for admission by examination or indorsement from another State. Such permission may be granted for a period of not less than two weeks nor more than four months upon payment of a fee of twenty-five dollars ($25.00). The board in its discretion may extend such permission for further periods of two weeks to four months but not to exceed in the aggregate one year;

c. A physician or surgeon of another State of the United States and duly authorized under the laws thereof to practice medicine or surgery therein, if such practitioner does not open an office or place for the practice of his profession in this State;

Member of resident medical staff.

d. A person while actually serving as a member of the resident medical staff of any legally incorporated charitable or municipal hospital or asylum approved by the board. Hereafter such exemption of any such resident physician shall not apply with respect to any individual after he shall have served as a resident physician for a total period of two years, and such exemption of resident physicians, except with respect to persons who shall have commenced service as resident physicians prior to July first, one thousand nine hundred and thirty-nine, shall apply only to persons who have been issued certificates under provisions contained in section 45:9–8 of this Title;

Practice of dentistry.

e. The practice of dentistry by any legally qualified and registered dentist;

Treatment of sick by prayer.

f. The ministration to, or treatment of, the sick or suffering by prayer or spiritual means, whether gratuitously or for compensation, and without the use of any drug or material remedy;

Practice of optometry.

g. The practice of optometry by any legally qualified and registered optometrist;

Practice of chiropody.

h. The practice of chiropody by any legally licensed chiropodist;

Practice of pharmacy.

i. The practice of pharmacy by a legally licensed and registered pharmacist of this State, but this exception shall not be extended to give to said licensed pharmacist the right and authority to carry on the business of a dispensary, unless the dispensary shall be in charge of a legally licensed and registered physician and surgeon of this State;

Person claiming right to practice medicine.

j. A person claiming the right to practice medicine and surgery in this State who has been practicing therein since before July fourth, one thousand eight hundred and ninety, if said right or title was obtained upon a duly registered diploma, of which the holder and applicant was the lawful pos-

sessor, issued by a legally chartered medical institution which, in the opinion of the board, was in good standing at the time the diploma was issued;

Chiropodist.

k. A chiropodist, professional nurse, or a graduate physio-therapist, masseur, electro-therapist, or hydro-therapist, while operating in each particular case under the specific direction of a regularly licensed physician or surgeon. This exemption shall not apply to such assistants of persons who are licensed as osteopaths, chiropractors, optometrists or other practitioners holding limited licenses; or

Person giving aid in emergency.

l. A person while giving aid, assistance or relief in emergency or accident cases pending the arrival of a regularly licensed physician or surgeon or under the direction thereof.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 168

AN ACT concerning appeals to the State Board of Education, and amending section 18:3–15 of the Revised Statutes.

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

Section amended.

1. Section 18:3–15 of the Revised Statutes is amended to read as follows:

Decisions subject to appeal.

18:3–15. Decisions under section 18:3–14 of this Title are subject to appeal to the State board.

Appeal taken within thirty days.

All such appeals shall be taken within thirty days after the decision is filed, and in the manner prescribed by the State board.

Prescribe rules and regulations.

The State board shall have power to prescribe and enforce rules and regulations for the conduct and hearing of such appeals.

Committee may hear appeals.

The board may refer the conduct and hearing of such appeals to a committee of not less than three in number of its members, which committee shall, after consideration, report thereon and recommend its conclusions to the board, which board shall thereupon decide the appeal by resolution in open meeting.

2. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 169

AN ACT determining and declaring the existence of blighted areas in densely populated municipalities which are a menace to health, safety and general welfare of the people and determining and declaring the necessity for the eradication of such areas in the general public interest; of providing a method for the gradual elimination and alleviation of the conditions brought about by such blighted areas; of authorizing redevelopment corporations as agencies of the State to undertake the clearance and reconstruction of such areas in any municipality in this State where the same shall exist to promote the general welfare; defining certain words and terms used in this act; providing for the preparation of development plans and prescribing the form thereof; authorizing city plan commissions to prepare or co-operate in preparing such development plans; requiring the submission of a development plan to a Fiscal Policy Agency and to a supervising agency and approval thereof before the project may be undertaken; authorizing the creation of a Fiscal Policy Agency and a

supervising agency or authorizing existing agencies to act as such agencies; requiring the approval of certain features of a development plan by a Fiscal Policy Agency before a redevelopment company can be incorporated; authorizing the incorporation of redevelopment corporations and prescribing the conditions upon which they may be incorporated; defining their powers, duties and limitations; providing that such corporations shall be subject to payment of taxes except as is otherwise herein provided, in the same manner and to the same extent as other private or business corporations; providing for the arresting of the assessed valuations of lands and buildings for tax purposes in certain cases; authorizing redevelopment companies to acquire property, including the power to acquire property through eminent domain; prescribing a method of proceeding in condemnation of property; providing for supervision of redevelopment corporations; providing for the investment therein by insurance companies, savings banks or savings and loan associations; providing for the investment in the obligations of redevelopment corporations by public agencies, quasi-public agencies and institutions, fiduciaries and others; authorizing and empowering the State of New Jersey, and any county thereof or municipality therein and all instrumentalities and agencies thereof, all quasi-public agencies and institutions, fiduciaries and others to invest in the obligations of redevelopment corporations and to convey or transfer real estate to such corporations for cash or the obligations of such corporations or both.

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

1. This act shall be known and may be cited and referred to as the "Redevelopment Companies Law." C. 55:14D-1. Redevelopment Companies Law.

2. It is hereby declared that in certain areas of municipalities located within this State there exist substandard conditions and insanitary housing conditions owing to obsolescence, deterioration and dilapidation of buildings, or excessive land coverage, lack of planning, of public facilities, of sufficient light, air and space, and improper design and arrangement of living quarters; that there is not in such areas a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned and related to public facilities; that modern standards of urban life require that housing be related to adequate and convenient public facilities; that the aforesaid substandard and insanitary conditions depress and destroy the economic value of large areas and by impairing the value of private investments threaten the sources of public revenue; that the public interest requires the clearance, replanning, reconstruction and neighborhood rehabilitation of such substandard and insanitary areas, together with adequate provision for recreational and other facilities incidental and appurtenant thereto according to the requirements of modern urban life and that such clearance, replanning, reconstruction and neighborhood rehabilitation are essential to the protection of the financial stability of such municipalities; that in order to protect the sources of public revenue it is necessary to modernize the physical plan and conditions of urban life, that these conditions cannot be remedied by the ordinary operations of private enterprise; that provision must be made to encourage the investment of funds in corporations engaged in providing redevelopment facilities to be constructed according to the requirements of city planning and in effectuation of official city plans and regulated by law as to profits, dividends C. 55:14D-2. Insanitary housing conditions. Reconstruction of insanitary areas. Investment of funds in corporations engaged in redevelopment.

Acquisition of real property.

and disposition of their property or franchises; and that provision must also be made for the acquisition for such corporations at fair prices of real property required for such purposes in substandard areas and for public assistance of such corporations by providing for the payment of taxes for a fixed period on an assessed valuation not in excess of the assessed value of the lands and buildings at the commencement of a redevelopment plan; that the co-operation of the State and its subdivisions is necessary to accomplish such purposes; that the clearance, replanning and reconstruction, rehabilitation and modernization of substandard and insanitary areas and the provision of adequate, safe, sanitary and properly planned housing accommodations in effectuation of official city plans by such corporations in these areas are public uses and purposes for which private property may be acquired for such corporations and tax exemption granted; that these conditions require the creation of the agencies, instrumentalities and corporations hereinafter prescribed for the purpose of attaining the ends herein recited; and the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

Payment of taxes.

Tax exemption granted.

Private capital enlisted.

The Legislature further recognizes that the reclamation or rehabilitation of our centers of population cannot be carried out with public revenues or funds alone and that private capital and enterprise must be enlisted if the very essential task of reclamation and rehabilitation is to be discharged. It therefore seeks and it is its stated purpose to attract and inspire private capital and enterprise to enter the said field of reclamation and to encourage it to perform as large a part of that task of reclamation and rehabilitation as it may be willing to perform. On the other hand, however, while the service of private capital and enterprise is essential and vital, the obligation to reclaim and rehabilitate our municipalities cannot be discharged by private capital alone and heavy and

substantial contribution and co-operation will be required by Federal, State and local governments, their agencies and instrumentalities, such as, for instance, the condemnation of a municipality for the benefit of a redevelopment corporation and at its expense of lands and premises in an area to be reclaimed. Hence such redevelopment corporations must be treated and regarded as and are hereby declared to be quasi-public in character, and supervised by public agencies in the matter of raising funds upon the obligations of such corporations, their corporate structure and operation, the performance of the work of reclamation and rehabilitation and the earnings and profits and benefits to accrue to corporation and stockholder as the result of such work of reclamation and rehabilitation. While philanthropy is not expected or desired, cupidity is not to be encouraged. Service in the public interest is anticipated with a reasonable reward and return therefor.

Contribution by Federal, State and local governments.

Redevelopment corporations quasi-public in character.

3. As used in this act the following terms shall mean and include:

C. 55:14D-3.

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

Terms municipality.

(2) "Local Legislative Body." Means and includes the board or body in each municipality empowered by statute to exercise general legislative power therein. In cities having a board of finance such board shall be considered the "governing body" for the purpose of this act.

Local legislative body.

(3) "Planning Board." The planning board means any agency of a municipality authorized to prepare, adopt or amend the map of the municipality or empowered to prepare and adopt and from time to time modify a comprehensive or master plan of the municipality.

Planning board.

Supervising agency.

(4) "Supervising Agency." The planning board in a municipality; in a municipality having no planning board the local legislative body.

Fiscal policy agency.

(5) "Fiscal Policy Agency." The Department of Economic Development established under State law.

Area.

(6) "Area." A section of a municipality wherein the Supervising Agency finds that substandard conditions or insanitary housing conditions exist so that the clearance, replanning, rehabilitation or reconstruction thereof is necessary or advisable to effectuate the public purposes declared in section two of this act. An area may include land whether improved or unimproved, and buildings or improvements not in themselves insanitary or substandard, the inclusion of which is deemed necessary by such agency for the effective clearance, replanning, reconstruction or rehabilitation of the area of which such land or property is a part.

Plan.

(7) "Plan." A plan or undertaking for the clearance, replanning and reconstruction or rehabilitation of a substandard or insanitary area or areas and for recreational and other facilities incidental or appurtenant thereto.

Project.

(8) "Project." A specific work or improvement to effectuate all or any part of a plan including lands, buildings and improvements, acquired, owned, constructed, managed or operated in an area by a redevelopment company providing dwelling accommodations pursuant to this act and such business, commercial cultural or recreational facilities, appurtenant thereto as may be approved pursuant to section fifteen of this act.

Actual final cost.

(9) "Actual Final Cost" shall mean the amount determined by the Fiscal Policy Agency to be the total cost of the plan or of the project thereof for which such determination is made and shall include, among other costs, the reasonable costs of planning the redevelopment, including preliminary studies and surveys, neighborhood planning, legal and incorporation expense, the cost, if any, of alleviating hardship to those occupying dwelling accommodations in the redevelopment area where

such hardship results from the execution of the proposed plan or project, the reasonable costs of financing the plan or project, working capital in an amount not exceeding three per centum (3%) of the actual final cost, the cost of the lands and improvements constituting the plan or project, condemnation charges and interest and other charges during the period of acquisition, the cost of demolition of existing structures, the cost of all new buildings and structures including the cost of utilities, landscaping and roadways, the cost of reconstruction, rehabilitation, remodeling, or initial repair of existing buildings and improvements, architectural, engineering and builders services and fees, including interest and other carrying charges during the period of construction, reasonable management and supervision costs until the plan or project is ready for use, and the cost of improving that portion of the area which is to remain as open space, together with such additions to redevelopment cost as shall equal the cost of additions to or changes in a plan or project in accordance with the original plan or after approved changes in or amendments thereto, and the cost of such furniture and furnishing, fixtures and equipment as shall be necessary or desirable for the proper occupancy and use thereof.

Real property.

(10) "Real Property." Lands and improvements, lands under water, waterfront property, the water of any lake, pond or stream, and any and all easements, franchises and hereditaments, corporal or incorporeal, and every estate, interest and right therein, legal and equitable, in lands or water, and the right, interest, privilege, easement and franchise relating to the same, including terms for years and liens by way of judgment, mortgage or otherwise.

Condemnation.

(11) "Condemnation." The acquisition of real property in the manner provided by this act or by any law for the acquisition of real property by the municipality in which such property is to be taken.

Insurance company.

(12) "Insurance Company." Any insurance company authorized to transact business in this State.

Savings bank.

(13) "Savings Bank." Any savings bank, and savings institution, authorized to transact business in this State.

Savings and loan association.

(14) "Savings and Loan Association." Any building and loan association and any savings and loan association authorized to transact business in this State.

Master plan.

(15) "Master Plan." A plan approved or adopted by the local legislative body, or by a duly authorized agency of such body or of the municipality in which such legislative body functions, to represent and reflect that growth and development or redevelopment of such municipality as the approving or adopting agency considers in the best interests of the municipality having in mind present needs and possible future requirements and taking into account the relation of such municipality to other municipalities and communities.

C. 55:14D-4. Creation of a redevelopment company.

4. A redevelopment company may be created by three or more persons signing, acknowledging and filing with the Secretary of State and a duplicate original with the county clerk of the county in which the principal office of the corporation is to be located a certificate which shall contain:

Name.

(1) The name of the proposed redevelopment company.

Purposes.

(2) The purposes for which it is to be formed which shall be as follows: To acquire one or more areas under a plan or plans and to construct, own, maintain, operate, sell and convey projects pursuant to the terms and provisions of this act.

Amount of capital.

(3) The amount of the capital stock, and if any be preferred stock, the preference thereof.

Number of shares.

(4) The number of shares of which the capital shall consist, all of which shall have a par value.

Business office.

(5) The municipality in which its principal business office is to be located.

Duration.

(6) Its duration, which shall be not less than twenty-five years.

(7) The number of directors, which shall not be less than three and who need not be stockholders. Number of directors.

(8) The names and post-office addresses of the subscribers to the certificate and a statement of the number of shares of stock which each agrees to take in the redevelopment company. Subscribers to certificate.

(9) A provision that, in the event income debenture certificates are issued by the redevelopment company the same shall be registered and that the owners thereof may be given the same right to vote as they would have if possessed of certificates of stock of the amount and par value of the income debenture certificates held by them. If provision is made for the issuance of income debenture certificates, interest shall be paid by the redevelopment company on income debenture certificates only out of net earnings of the redevelopment company that would be applicable to payment of dividends if there were no income debentures. Income debenture certificates.

(10) A provision that, so long as this act shall remain applicable to any project of the redevelopment company, the real property of the redevelopment company shall not be sold, transferred or assigned except as permitted by the terms and provisions of this act. Sale of real property.

(11) A declaration that the redevelopment company has been organized to serve a public purpose and that it shall be and remain subject to the supervision and control as provided in this act, so long as this act remains applicable to any project of the redevelopment company; that all real and personal property acquired by it and all structures erected by it, shall be deemed to be acquired or created for the promotion of the purposes of this act. Organized to serve a public purpose.

(12) A declaration that, after providing for all expenses, taxes and assessments, there shall be paid annually out of the earnings of the redevelopment company for interest, amortization and dividends, a sum equal to but not exceeding six per centum (6%) of the total actual final cost of the project as defined by subdivision nine of section three of this act; that the obligation in respect of Payment of dividends.

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such payments shall be cumulative, and any deficiency in interest, amortization and dividends in any year shall be paid from the first available earnings in subsequent years; and that any cash surplus derived from earnings remaining in the treasury of the redevelopment company in excess of the amount necessary to provide such cumulative annual sums shall, upon dissolution of the company, be paid into the general fund of the municipality.

Cash surplus.

Dissolution of company.

(13) A declaration that, upon the dissolution of the company pursuant to the provisions of subdivision one, section twenty-four, the property may be conveyed in fee as provided in said subdivision.

Mortgage indebtedness may be retired.

(14) A declaration that mortgage indebtedness, income debenture certificates and stock of the redevelopment company may be retired if, as and when there shall be funds available for amortization purposes in the treasury of the redevelopment company.

C. 55:14D-5. Consent of fiscal policy agency to file certificate.

5. If any certificate of incorporation of a redevelopment company shall be presented to the Secretary of State, he shall not file such certificate unless a certificate of the consent of the Fiscal Policy Agency shall accompany the same. A certificate of amendment of a certificate of incorporation shall not be filed by the Secretary of State unless a certificate of the consent of the Fiscal Policy Agency shall accompany the same.

C. 55:14D-6. General corporation laws apply.

6. The provisions of the general corporation laws as presently in effect and as hereinafter from time to time amended shall apply to redevelopment corporations, except where such provisions are in conflict with the provisions of this act.

Additional powers.

Each redevelopment company in addition to the powers herein conferred shall have and may exercise such of the powers conferred by the general corporation laws as shall be necessary to the operation of the business of a redevelopment company and as shall be consistent with the provisions of this act.

C. 55:14D-7. Notice of meeting to debenture holders.

7. In the event that any action with respect to which the holders of income debentures shall have the right to vote is proposed to be taken, then notice of any meeting at which such action is proposed to be taken shall be given to such holders in the same manner and to the same extent as if they were stockholders entitled to notice of and to vote at such meeting, and any certificate filed pursuant to law in the Department of State with respect to any such action, whether taken with or without meeting, and any affidavit required by law to be annexed to such certificate, shall contain the same statements or recitals and such certificate shall be subscribed and acknowledged, and such affidavits shall be made, in the same manner as if such holders were stockholders holding shares of an additional class of stock entitled to vote on such action, or with respect to the proceedings provided for in such certificate.

Affidavit to contain.

Fiscal policy agency to approve.

No redevelopment company shall issue any series of income debentures unless the amount to be issued together with the terms and conditions of said income debentures, and the times at, and the circumstances under which the holders thereof shall have the right to vote in the affairs of the company shall be approved by the Fiscal Policy Agency.

C. 55:14B-8. Payment of interest.

8. Subject to the provisions of section twenty-four of this act, there shall be paid annually out of the earnings of the redevelopment company, after providing for all costs of operation and maintenance and reasonable reserves therefor, taxes and assessments, a sum for interest, amortization and dividends, equal to but not exceeding six per centum (6%) of the total actual final cost of the project as defined by subdivision two of section thirteen of this act; the obligation in respect of such payments shall be cumulative, and any deficiency in interest, amortization and dividends in any year shall be paid from the first available earnings in subsequent years.

C. 55:14D-9.

9. No redevelopment company shall issue stock, bonds or income debenture certificates except for money or property actually received for the use and lawful purposes of the redevelopment company. No stock, bonds or income debenture certificates shall be issued for property except upon a valuation approved by the Fiscal Policy Agency and such valuation shall be used in computing actual or estimated cost.

C. 55:14D-10. Stock may be issued for working capital.

10. Except as provided in this section the stock and income debenture certificates issued by the redevelopment company shall in no event be less than the total of twenty per centum (20%) of the actual cost of any project or projects undertaken pursuant to this act. The Fiscal Policy Agency may permit stock or income debenture certificates to be issued for working capital to be used in connection with such project to an amount not exceeding three per centum (3%) of the estimated cost, or three per centum (3%) of the total actual final cost, if that should exceed the estimated cost of a project.

Provisions of this section not applicable if funds made available by Federal government.

The provisions of this section shall not be applicable to any redevelopment company if funds made available by the Federal Government or any instrumentality thereof, or the proceeds of any mortgage or mortgage bonds insured by the Federal Housing Administrator or any other instrumentality of the Federal Government are used in financing the project in whole or in part.

C. 55:14D-11. Fiscal policy agency may approve issuance of debenture certificates.

11. With the approval of the Fiscal Policy Agency, the certificate of incorporation, or an amended certificate, may authorize the issuance of income debenture certificates bearing no greater interest than six per centum (6%) per annum. Such income debenture certificates and any instrument under which they are issued may contain such other provisions, including provision for amortization by serial maturities, through the operation of a sinking fund or otherwise, as may be approved by the Fiscal Policy Agency.

C. 55:14D-12. May borrow funds.

12. Any redevelopment company, subject to the approval of the Fiscal Policy Agency, may borrow funds and secure the repayment thereof by bond and mortgage or by an issue of bonds under a trust indenture. Each mortgage or issue of bonds of a redevelopment company shall relate only to a single specified project and to no other and such bonds shall be secured by mortgage upon all of the real property of which such project consists. First lien bonds of such redevelopment company when secured by a mortgage not exceeding eighty per centum (80%) of the actual final cost, after such completion, as certified by the Fiscal Policy Agency, are hereby declared securities in which all public officers and bodies of the State and of its municipal subdivisions, insurance companies and associations, savings banks and savings institutions, savings and loan associations, executors, administrators, guardians, trustees and other fiduciaries in the State may properly and legally invest the funds within their control. The bonds so issued and secured and the mortgage or trust indenture relating thereto, may create a first or senior lien and a second or junior lien upon the real property embraced in any project; *provided, however,* that the total mortgage liens shall not exceed eighty per centum (80%) of the actual final cost after such completion, as certified by the Fiscal Policy Agency. Where there are first and second mortgage liens upon the property embraced in a project, only the first or senior lien thereon shall be deemed a security in which such officers, bodies, corporations, associations and fiduciaries, may invest the funds within their control. Such bonds and mortgages may contain such other clauses and provisions as shall be approved by the Fiscal Policy Agency, including the right to assignment of rents and entry into possession in case of default. Provisions for the amortization of the bonded indebtedness of companies formed under this act shall be subject to the approval of the Fiscal Policy Agency. So long as funds made

Each mortgage to relate to only single specified project.

Securities legal investment.

Mortgages first or senior lien.

Proviso.

Provisions for amortization to be approved.

available by the Federal Government or any instrumentality or agency thereof or the proceeds of any mortgage or mortgage bonds, insured by the Federal Housing Administrator or any other instrumentality or agency of the Federal Government are used in financing, in whole or in part, any project under this act, the capital structure of a redevelopment company undertaking such project and the proportionate amount of the cost of the lands and improvements to be represented by mortgages or bonds shall be entirely in the discretion of the redevelopment company; and all restrictions as to the amounts to be represented by mortgages, mortgage bonds, income debentures or stock shall be inapplicable to such projects or to redevelopment companies undertaking such projects, except that the bonds, mortgages, debentures and stock covering any project shall not exceed the total actual final cost of such project as defined in subdivision nine of section three of this act;

Proviso.

provided, however, no such bond, mortgage or debenture shall be deemed legal for investment therein by public officers and bodies of the State and of its municipal subdivisions, insurance companies and associations, savings banks and savings institutions, savings and loan associations, executors, administrators, guardians, trustees and other fiduciaries of the State unless and until the same are insured as to principal and interest by the Federal Government or an appropriate agency thereof.

Interest rates.

Interest rates on mortgage indebtedness shall not exceed five per centum (5%) per annum.

Temporary financing.

Temporary financing may be provided by the advancement from time to time, by any mortgagee, or any mortgage bondholder or trustee for mortgage bondholders, of such sum as shall have been actually expended in the items which make up actual final cost of such plan or project, as certified by the redevelopment company but not in excess of seventy-five per centum (75%) thereof. In making any such advance payments such mortgagee, mortgage bondholder, or trustee for mortgage

bondholders, may require from the redevelopment company such security and protection, or such contributions and payments to such cost by the redevelopment corporation as it may reasonably deem necessary for its protection.

C. 55:14D-13.

13. In addition to limitation prescribed by this act a redevelopment company shall not have power to:

Not to issue stock in greater amount than total actual final cost.

(1) Issue its stock, debentures and bonds covering any project undertaken by it in an amount greater in the aggregate than the total actual final cost of such project as defined in subdivision nine of section three of this act.

Not to enter into contracts for payment of salaries.

(2) Enter into contracts, oral or written, for the payment of salaries or wages to officers or employees, or agree as to salaries or wages to be paid officers or employees, or for the construction or for the substantial repair, improvement or operation of projects except subject to the approval of the Fiscal Policy Agency, but the said Fiscal Policy Agency in its discretion through the medium of a procedure to be worked out by rules and regulations may exempt from the necessity for such approval, a type or class or grade of employee or may generally approve the wages paid to such a type, class or grade or fix a scale of wage for employees or otherwise simplify the procedure to procure the approval of such agency as to wages or salaries paid to or proposed to be paid to employees.

Fix scale of wage.

Not to construct plant.

(3) Construct, install, acquire, maintain or operate any property, plant, equipment or facilities which would be competitive with any existing public utility as the same is defined in section 48:2–13 of the Revised Statutes.

C. 55:14D-14.

Projects primarily for housing purposes.

14. The project or projects of any redevelopment company shall be designed and used primarily for housing purposes but portions of the project may be planned and used for business, commercial, industrial, cultural or recreational purposes appurtenant thereto as approved in the project.

C. 55:14D-15.

15. Every plan or plan of a project proposed by a redevelopment company shall contain:

Description by metes and bounds.

(a) A description of the development area by metes and bounds or other definite designation;

Statement.

(b) A statement of the various stages, if more than one is intended, by which the development is proposed to be constructed or undertaken, and the approximate time limit for the completion of each stage, together with a description of the real property to be included in each stage; which shall be by metes and bounds or other definite description.

Statement of buildings to be demolished.

(c) A statement of the existing buildings or improvements in the development area to be demolished immediately, if any;

Statement of time when buildings will be demolished.

(d) A statement of the time or period when existing buildings or improvements, if any, in the development area, not to be demolished immediately, shall be demolished.

Statement of proposed improvements.

(e) A statement of the proposed improvements, if any, to each building not to be demolished immediately, any proposed repairs or alterations to such buildings, and the approximate period of time during which such improvements, repairs or alterations are to be made;

Statement of character of each new building.

(f) A statement of the type, number and character of each new industrial, commercial, residential or other building or improvement to be erected or made;

Statement of portions to be left as open space.

(g) A statement of those portions, if any, of the development area which may be permitted or will be required to be left as open space, the use to which each such open space is to be put, the period of time each such open space will be required to remain an open space and the manner in which it will be improved and maintained, if at all;

Statement of portions to be sold.

(h) A statement of those portions, if any, of the development area which the redevelopment company proposes to sell, donate, exchange or lease to the State, county or municipality, or any agency, department or board or bureau thereof, and an outline of the terms of such proposed sale, donation, exchange or lease;

(i) A statement of the proposed changes, if any, in zoning ordinances or maps or in any master plan adopted by the planning board necessary or desirable for the development, and its protection against blighting influences; Statement of proposed changes in zoning ordinances.

(j) A statement of the proposed changes, if any, in streets or street levels, and any proposed street closings; Statement of proposed changes in streets.

(k) A statement of the character of the existing dwelling accommodations, if any, in the development area, the approximate number of families residing therein, together with a schedule of the approximate rentals being paid by them, and a schedule of the vacancies in such accommodations, together with the rental demanded therefor. Statement of character of existing dwelling accommodations.

(l) A statement of the character, approximate number of units, approximate rentals and approximate date of availability of the proposed dwelling accommodations, if any, to be furnished during construction and upon completion of the development; Statement of number of units.

(m) A statement of the proposed method of financing the redevelopment, in sufficient detail to evidence the probability that the redevelopment company shall be able to finance or arrange to finance the redevelopment; Statement of method of financing.

(n) A statement of persons who it is proposed will be active in or associated with the management of the redevelopment company during a period of at least one year from the date of the approval of the development plan, together with a true and complete list of the officers and directors of such company, their term of office, and their residence addresses. Statement of persons who will be active in management.

After preliminary approval thereof by the Fiscal Policy Agency as to conformity with the provisions and purposes of this act, every such plan or plan of a project shall be submitted to the supervising agency for approval of the plan or plan of the project relating to: Plan submitted to supervising agency.

(1) Height and bulk of structures, density of population and percentage of land coverage Height and bulk of structures.

by structures as to their conformity with the purposes of this act and with the master plan; and the relationship of the density of population contemplated by the plan or plan of the project to the distribution of the population of the municipality in other areas or other parts thereof, and

Provision for business facilities.

(2) Provision, if any, for business or commercial facilities appurtenant to the plan or project, relationship to existing and planned public facilities, adequacy and planned rearrangement of street facilities and provisions for light, air, cultural and recreational facilities as to their conformity with the purposes of this act and their adequacy for accommodation of the density of population contemplated by the plan or plan of the project, and

(3) All other matters not specially herein delegated to the Fiscal Policy Agency.

Hearing by supervising agency.

The supervising agency after public hearing on a plan or plan of a project, may:

Unqualified certificate of approval.

a. Issue an unqualified certificate of approval thereof, or

Conditional certificate of approval.

b. Issue a certificate of conditional or qualified approval thereof, with or without recommendations, or

Disapprove.

c. Disapprove thereof.

Amount and nature of property to be condemned.

After action thereon by the supervising agency such plan or plan of a project with a proposed form of contract between the municipality and the company or, when all stock, debentures and mortgage bonds of the company are owned or are to be owned by one or more insurance companies, or one or more savings banks and savings institution, or one or more savings and loan associations, between the municipality, redevelopment company and such owner or owners shall be submitted by the redevelopment company, with a certificate of approval of the Fiscal Policy Agency and the certificate or a statement of action on the plan or project by the

supervising agency, to the local legislative body for its approval as to conformity with the provisions and purposes of this act, the extent of the tax assistance, if any, to be granted pursuant to section twenty-six, the amount and nature of the property to be condemned, for the redevelopment company by the municipality and the terms and conditions of payment therefor by the redevelopment company, the amount of publicly owned land or facilities to be sold to the redevelopment company or exchanged for redevelopment company-owned lands and the availability of other suitable dwelling accommodations for families living in the area or part thereof to be affected by the plan or plan of the project. If the supervising agency shall be the local legislative body further submission shall not be required under this provision.

Portion of land deducted for parks and streets.

As part of an approved project the supervising agency may require a redevelopment company to dedicate to the municipality or any agency thereof in the manner provided by law specified portions of the land in a project for parks, streets, public recreational and other public purposes.

Contract may regulate rents to be charged for rooms.

The contract may regulate the rents to be charged for rooms in the project and may contain such other provisions, not inconsistent with this act, as may be deemed necessary or desirable for the financing, construction, operation and supervision of the project, including a provision for such bond or surety as the local legislative body may deem desirable to assure the completion of the plan or project.

Plan may be approved by local legislative body.

In any case where the supervising agency shall have issued a certificate of unqualified approval of a plan or plan of a project approval thereof by the local legislative body may be by resolution adopted by a majority of the whole number of votes authorized to be cast by all of the members thereof. In any case where the supervising agency shall not have issued a certificate of unqualified approval, the plan or plan of a project may nevertheless be approved by the local legislative body,

after public hearings thereon, by resolution adopted by a majority vote of the whole number of votes authorized to be cast by all of the members thereof. The local legislative body is authorized to enter into the necessary contract or contracts on behalf of the municipality.

If the contracting parties are a municipality, a redevelopment company and one or more insurance companies, or one or more savings banks and savings institutions, or one or more savings and loan associations, which own or will own all of the stock, debentures, bonds and mortgage indebtedness of such redevelopment company, then the certificate of the supervising agency approving such contract shall terminate the functions of the supervising agency but not those of the Fiscal Policy Agency pursuant to this act, and after the execution of such contract all references herein to the approval or other action by the supervising agency shall be inapplicable to the project provided for in such contract and to such redevelopment company.

C. 55:14D-16. Unlawful during tax assistance to modify any feature of project.

16. It shall be unlawful during the period of tax assistance or exemption, granted pursuant to section twenty-six of this act, for any redevelopment company or any successor in interest to its title to a project or any part thereof to change or modify any feature of a project for which approval of the supervising agency is required by this act, without the approval of such agency, except by a majority vote of the local legislative body.

C. 55:14D-17. Fiduciary may sell real property.

17. To effectuate the purposes of this act, notwithstanding any requirement of law to the contrary or the absence of direct provision therefor in the instrument under which a fiduciary is acting, every executor, administrator, trustee, guardian or other person, holding trust funds or acting in a fiduciary capacity, unless the instrument under which such fiduciary is acting expressly forbids, the State, the subdivisions, municipalities, all other public bodies, all public officers, persons, partnerships, corporations organized under the general corporation laws, corporations and institutions

subject to the supervision of the Department of Banking and Insurance, the Commissioner of Banking and Insurance, or any other person acting, or who may be appointed to act as receiver, conservator, liquidator or rehabilitator of any such person, partnership or corporation, owning, controlling or holding any real property within an area, may grant, sell, lease, or otherwise transfer any such real property to a redevelopment company and receive in payment and exchange therefor, and thereafter hold any cash, stock, income debentures, bonds, mortgages, or other securities or obligations, secured or unsecured, paid, issued or delivered by such redevelopment company and may execute such instruments and do such acts as may be deemed necessary or desirable by them or it and by the redevelopment company in connection with a project or projects.

C. 55:14D-18. Power to make rules and regulations.

18. The Fiscal Policy Agency and the supervising agency, respectively, shall have power to make rules and regulations to carry out their powers and duties pursuant to this act and to effectuate the purposes thereof.

C. 55:14D-19. Fees.

19. The supervising agency and the local legislative body may each adopt a reasonable schedule of fees to be paid upon the filing with each of them of a plan, plans for a project or projects, amendment thereto and other instruments in connection therewith.

C. 55:14D-20. May condemn real property.

20. A municipality may take real property by condemnation for a redevelopment company; *provided,* the contract or contracts executed pursuant to section fifteen contain a requirement that the company shall pay to the municipality all sums expended or required to be expended by the municipality in the acquisition of such real property, division as to the time of payment and manner of securing payment thereof, and provisions requiring that the municipality receive, before proceeding with the acquisition of such real property, such assurances as to payment or reimbursement by the redevelopment company, or otherwise, as the local

Proviso.

Payment.

Filing copies of surveys.

legislative body may deem advisable. Upon the execution of such contract or contracts the company shall cause to be made three copies of surveys or maps of the real property described in the contract, one of which shall be filed in the office of the redevelopment company, one in the office of the corporation counsel or chief law officer of the municipality, and one in the office in which instruments affecting real property in the county are recorded. The filing of such copies of surveys or maps in accordance with the provisions of this section shall be in lieu and in complete satisfaction of any other requirement for the filing of surveys or maps imposed upon either the municipality or the redevelopment company by any general, special or local law.

Municipality to acquire title.

Upon compliance by the redevelopment company with the applicable terms and conditions of such contract or contracts the municipality shall proceed to acquire title in fee simple to the real property and when title to the real property shall have vested in the municipality, it shall convey the same to the redevelopment company upon final compliance by the redevelopment company with such terms and conditions. As soon as title shall have vested in the municipality, the redevelopment company may, upon the authorization of the supervising agency, enter upon the real property taken, take over and dispose of existing improvements, and carry out the terms of the project with respect thereto.

Municipality may acquire property from time to time.

Real property in an area, needed or convenient for the project which is acquired by condemnation pursuant to this section, may be acquired by the municipality for the project, from time to time and in such part or parts as the development plan shall provide including any real property devoted to a public use, whether or not held in trust, notwithstanding that such property may have been previously acquired by condemnation or is owned by a public utility corporation, it being hereby expressly determined that the public use in conformity with the provisions of this act shall be deemed a su-

perior public use. The local legislative body may consent to the condemnation of property owned by the municipality, whether or not such property be held in trust, or may sell or lease any such property necessary or convenient for a project of a redevelopment company without public bidding, provided notice of such sale or lease is published and a public hearing is held before the local legislative body. The term of any such lease shall not be limited by any provision of any general, special or local law or municipal charter limiting the period of time during which a lease or any renewal thereof may run. Real property belonging to a public utility corporation may not be acquired without the approval of the Board of Public Utility Commissioners of the State of New Jersey.

Local legislative body may consent to condemnation.

Real property of public utility may be acquired with approval of board of public utility commissioners.

An award of compensation shall not be increased by reason of any increase in the value of the real property caused by the assembly, clearance or reconstruction, or proposed assembly, clearance or reconstruction for the purposes of this act of the real property in an area.

A local legislative body, upon payment therefor or upon exchange for other lands, may convey to any redevelopment company land in any street or public place which is duly closed or discontinued pursuant to the plan of a project.

Local legislative body may convey land.

Nothing in this act shall be deemed to forbid or prevent the acquisition of any real or personal property by a redevelopment company by gift, devise, bequest, grant or subject to the provisions of this act, by purchase at public or private sale.

Act not to prevent acquisition of property by gift.

Whenever, by reason of any plan, plan of a project or projects, any tracks, pipes, mains, conduits, cables, wires, towers, poles or other equipment or appliances (herein called "facilities") of a public utility as defined in section 48:2–13 of the Revised Statutes, shall be required to be removed or relocated, such public utility shall be reimbursed by the redevelopment company for the cost and expenses occasioned by such removal or relocation, including the cost of installing such

Public utility to be reimbursed on removal of facilities.

facilities in a new location or new locations and the cost of any lands, or any rights or interests in lands, and any other rights, acquired to accomplish such removal or relocation, and the amount of such reimbursement shall become a part of the cost of such plan or project. In case of any such relocation of facilities, the public utility owning or operating the same, its successors and assigns, may maintain and operate such facilities, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such facilities in their former location.

C. 55:14D-21. Fiscal policy agency examines condition of redevelopment company.

21. The Fiscal Policy Agency shall:

(1) Examine each redevelopment company and keep informed as to its general condition, its capitalization and the manner in which its property is constructed, leased, operated or managed with respect to its compliance with all provisions of law and for the security and safety of investments made therein.

Prescribe forms for keeping accounts.

(2) In its discretion, prescribe uniform methods and forms of keeping accounts, records and books to be observed by redevelopment companies, and after a hearing to prescribe by order accounts in which particular outlays and receipts shall be entered, charged or credited.

Require compliance with rules.

(3) Require compliance with its rules and regulations.

The supervising agency may:

Supervising agency may inspect property.

(1) Either itself or through its inspectors or employees duly authorized by it, enter in or upon and inspect the property, equipment, buildings, plants, offices, apparatus and devices of any redevelopment company: examine all books, contracts, records, documents and papers of any redevelopment company and by subpœna duces tecum compel the production thereof.

Require filing periodic reports.

(2) Require specific answers to questions upon which it may desire information and require the

filing of periodic reports in the form, covering the period, and at the time prescribed by it.

(3) Require compliance with its rules and orders, and with the rules and regulations of the Fiscal Policy Agency. Require compliance with rules.

22. Unless other provision be made therefor in the contract with the municipality, the Fiscal Policy Agency if it shall deem it feasible at any time, subject to the limitation contained in section eight of this act, may require a redevelopment company to provide from earnings, after provision for dividends and interest, a sinking fund in an amount to be fixed by such Fiscal Policy Agency for the gradual retirement of the stock and income debenture certificates of such company. Such sinking fund may be used either for the purchase, from time to time, of stock or income debenture certificates at a price approved by the Fiscal Policy Agency not exceeding par value thereof with accrued and unpaid dividends or interest, or if it be not practicable to purchase such stock or such income debenture certificates at a price so approved, the moneys in such sinking fund may be added to the surplus of such company. Any stock or income debenture certificates purchased out of such sinking fund shall be canceled and shall not be reissued. C. 55:14D-22. Fiscal policy agency may require sinking fund. Sinking may be used to purchase stock.

23. Until the termination of the tax assistance period, whether by expiration or by any other cause, a redevelopment company founded under the provisions of this act shall not have power to sell or dispose of any project without the consent of the local legislative body. Upon acquisition of the project by any person, firm or corporation other than another redevelopment company or a local public housing authority, by lease or sale, or upon the initiation of foreclosure proceedings any tax assistance or tax exemption, granted to such project shall immediately terminate. C. 55:14D-23. Not to have power to sell project without consent of local legislative body.

24. (1) After termination of any tax assistance or exemption granted pursuant to section twenty-six of this act, whether by expiration or by any other cause, or in the event that prior thereto the C. 55:14D-24. May elect to pay accrued taxes.

redevelopment company elects to pay to the municipality the total of all accrued taxes for which such assistance or exemption was granted and received, together with interest at the rate of five per centum (5%) per annum, the redevelopment company may voluntarily dissolve, and title to the project may be conveyed in fee to the owner or owners of its capital stock or to any corporation designated by it or them for the purpose, or the redevelopment company may be dissolved and reconstituted pursuant to appropriate laws relating to the formation and conduct of corporation, after providing, in any case, for the repayment of all current operating expenses, taxes, indebtedness and all accrued interest thereon, and the par value of and accrued dividends on the outstanding stock of the redevelopment company. If, after making such provision and after the conveyance of the project, a cash surplus remains in the treasury of the redevelopment company, such cash surplus shall, upon dissolution, be paid into the general fund of the municipality. After such dissolution and conveyance or such reconstitution, the provisions of this act shall become and be inapplicable to any such project and its owner or owners, and any tax assistance or exemption granted to such redevelopment company pursuant to section twenty-six of this act shall cease and terminate.

Interest rate.

Redevelopment company may voluntarily dissolve.

(2) If prior to the termination of any tax assistance or exemption period the project is sold for any reason, the redevelopment company shall dissolve, and any tax assistance or exemption granted to such redevelopment company pursuant to section twenty-six of this act shall cease and terminate.

Tax exemption shall cease if company dissolves.

In such case the stockholders and income debenture certificate holders shall in no event receive more than the par value of their stock and the face value of their income debenture certificates with accrued and unpaid dividends or interest upon such stock and income debenture certificates, and any remaining surplus shall be paid into the general fund of the municipality.

Not to receive more than par value for stock.

(3) In no event shall a redevelopment company be voluntarily dissolved unless provision is made for the payment in full of the remaining balance of principal and interest due or unpaid upon any mortgage on its property or any part thereof, and for the payment in full with interest of any unpaid taxes, if any, but any project may, with the consent of the local legislative body of the municipality, be conveyed and transferred to the municipality or a local public housing authority, or another redevelopment company, subject to such mortgage and accrued interest, and taxes if any.

Not to dissolve unless provision is made for payment of principal and interest.

(4) Unless the local legislative body of the municipality shall consent to the voluntary dissolution of a redevelopment company, such a company shall not dissolve except in accordance with this section or upon the expiration of the period of corporate existence as fixed by its certificate of incorporation.

Not to dissolve unless by consent of local legislative body.

(5) The contract with the municipality may contain such other provisions for the dissolution of the redevelopment company as may be deemed advisable, not inconsistent with the provisions of this section.

Contract may contain provision for dissolution.

(6) Upon dissolution as provided in this section, this act shall become and be inapplicable to the project and its owner or owners.

Upon dissolution act shall become inapplicable to project.

C. 55:14D-25.

25. One or more insurance companies, savings banks and savings and loan associations, shall have the power to organize, or cause to be organized, a redevelopment company formed pursuant to the provisions of this act, and to purchase for cash or to receive and hold in exchange for property, and to own and control, the stock or the income debenture certificates or both of any redevelopment company and shall also have power to invest, singly or jointly, in a bond and first mortgage or in an issue of bonds secured by mortgage or trust indenture constituting a first lien upon any project as provided in this act. An insurance company, savings bank and savings loan association, however, which owns stock or income debenture certificates of a redevelopment company and also owns bonds or a

Insurance companies shall have power to organize a redevelopment company.

bond and mortgage or an interest in a bond and mortgage of the same redevelopment company shall not, without the consent of the Fiscal Policy Agency, sell all or any part of such bonds or such bond and mortgage or of its interest in such bond and mortgage unless it shall simultaneously sell such stock and such income debenture certificates owned by it.

Not to sell any part of bonds without consent.

Notwithstanding any other provisions of law, an insurance company or companies or one or more savings banks or savings and loan associations owning all of the stock of a redevelopment company are hereby expressly authorized to enter into contracts contemplated by this act and to agree by contract with the municipality not to sell, assign or otherwise transfer the stock, income debentures or mortgage bonds of the redevelopment company during the period of tax assistance provided for by the contract pursuant to this act without the consent of the local legislative body of the municipality. Every such insurance company or companies, savings bank or banks, or savings and loan association or associations, are hereby expressly authorized to make such capital contributions to any such redevelopment company, in cash or by cancellation of securities or otherwise, as may be necessary to enable such redevelopment company to comply with all conditions precedent to its dissolution and conveyance of its property in accordance with subdivision one of section twenty-four of this act, and upon dissolution of such a redevelopment company, to acquire the project and own and operate the same as a permanent investment for such period as it or they may deem desirable either directly or through acquisition and ownership of the capital stock of any corporation which may acquire title to the project pursuant to subdivision one of section twenty-four.

Insurance companies owning all stock authorized to enter into contracts.

May make capital contributions.

Except as specifically provided herein this act shall not be deemed to limit or restrict any power or authority granted to insurance companies, savings banks, savings and loan association, or to any

Except as specifically provided act not to limit or restrict.

other corporation or to any fiduciary by any other provision of law heretofore or hereafter enacted.

C. 55:14D-26. Tax exemption not to exceed 25 years.

26. (a) A municipality is hereby authorized, by adopting or enacting an ordinance or local law, during a period to be designated in such ordinance or local law, which shall not exceed the maximum of twenty-five years, and which shall be known as the tax exemption period, to provide against any increase in any local tax assessment valuation, for the lands, buildings and improvements included in any plan or project over the assessed valuations fixed and determined for the said lands and buildings for the fiscal year in which said project is approved.

Real estate exempt from taxes for period fixed in ordinance.

After the adoption or enactment of such an ordinance or local law, each parcel of real estate held by the redevelopment company in the municipality shall be exempt during the period fixed in said ordinance or local law, from that portion of each and every local tax in excess of such taxes, as may be levied against the same on the arrested assessed valuation thereof, it being the intent hereof that for such tax exemption period the redevelopment corporation shall not be required to pay taxes on the assessed value of the improvements erected by it on any plan or project in excess of such arrested assessed value.

Property included in any project declared to be public property.

(b) In lieu of tax assistance as provided in paragraph (a) in this section all property included in any project or projects of a redevelopment company is hereby declared to be public property devoted to an essential public purpose upon adoption of or enactment of such an ordinance or local law.

All such public property exempt from taxes.

All such public property devoted to such a public purpose shall be exempt from all taxes and special assessments of the State or any political subdivision thereof, as long as such property remains under exclusive control and jurisdiction of a redevelopment company which owns such property and such rehabilitation company remains subject to regulation and supervision of the State and municipal agencies provided for in this act; *provided,*

Proviso.

however, that in lieu of such taxes, the rehabilitation company which owns such property shall agree to make payments to a political subdivision for the services, improvements or facilities furnished by it for the benefit of a project, but in no event shall such payments exceed the amount last levied as the annual tax of such political subdivision upon the property included in said project or projects prior to the time of its acquisition by the redevelopment company.

Fixing date of tax exemption.

(c) For the purpose of fixing the date of commencement of the tax assistance or exemption period for a group of parcels of real property in a development area, a municipality is hereby authorized, with the approval of its local governing body, to contract with a redevelopment corporation to place in one or more groups the various parcels of real property therein. Such a contract may provide that all of the parcels in each group may be deemed to have had a common stated date of acquisition by the redevelopment corporation, regardless of the actual date of acquisition of each parcel contained therein. Such agreed date of acquisition shall thereupon serve as a basis for computing the tax assistance or exemption period for each parcel of real property in the group. Such agreed date of acquisition shall not be later than the date of the actual acquisition of one or more parcels of real property in the group. After the making of any such contract, all of the parcels of real property in any such group shall be treated as a unit for the purposes of the assessment and collection of each local tax, and the tax assistance or exemption period so computed shall be binding with respect to each local tax.

All parcels of real property in group treated as unit for taxation.

Tax exemption to commence January 1st following adoption of local law.

The tax exemption shall not operate for a period of more than twenty-five years, commencing in each instance on the first day of January following the adoption of such ordinance or local law.

May elect to pay accrued taxes.

A redevelopment company which has been granted and has received tax exemption pursuant to this section may at any time elect to pay to the

municipality the total of all accrued taxes for which exemption was granted and received, together with interest at the rate of five per centum (5%) per annum. Upon such payment the tax exemption of the project shall thereupon cease and terminate.

C. 55:14D-27. If any clause of act adjudged invalid not to effect remainder.

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

C. 55:14A-28. May accept grants from Federal or State government.

28. In addition to the powers conferred upon the city by other provisions of this act, the local governing body is empowered to appropriate moneys for the purpose of and to borrow from or to accept grants from the Federal or State Governments or any agency thereof for and in aid of the acquisition of any lands required to carry out the plan and purposes of this act; and to these ends, to enter into such contracts, mortgages, trust indentures or other agreements as the Federal or State Government may require.

29. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 170

AN ACT to enable the State of New Jersey to convey to an appropriate agency of the Federal Government, an easement across lands owned by the State and occupied by the New Jersey Reformatory at Rahway, for the purpose of maintaining a pipeline for the transportation of oil and allied products.

Preamble. WHEREAS, The Federal Government has found it necessary to lay one or more pipelines within the territorial confines of the United States for the purpose of transporting oil, gas and other allied products from one portion of the country to another; and

Preamble. WHEREAS, Said pipelines have already been laid and are presently in operation; and

Preamble. WHEREAS, In connection with the laying of such pipelines it was found necessary to enter into and upon the lands of the State of New Jersey, said lands now being occupied and used by the New Jersey Reformatory at Rahway; and

Preamble. WHEREAS, The Congress of the United States has designated the Defense Plant Corporation, a corporation created by the Reconstruction Finance Corporation, pursuant to section five-D of the Reconstruction Finance Corporation Act, as the proper agency to lay, maintain, operate and supervise such pipelines; and

Preamble. WHEREAS, The Defense Plant Corporation now desires to secure a proper easement from the State of New Jersey over the lands in question and to reimburse the State for any damage incurred in

connection with the construction of said pipelines; now, therefore,

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

1. The State House Commission is hereby authorized and empowered to convey and grant unto the Defense Plant Corporation, an agency of the Federal Government, an easement across five separate tracts of land owned by the State of New Jersey and presently occupied by the New Jersey Reformatory at Rahway, said tracts being situated in the township of Woodbridge, in the county of Middlesex and the State of New Jersey and being more particularly described as follows: State House Commission authorized to convey.

Tract 1. Bounded on the west by Meadow street and other lands of the State of New Jersey; on the east by Martin street and lands of the township of Woodbridge. Being part of a tract of 30.26 acres conveyed to the State of New Jersey by William R. Barricklo, Special Master in Chancery of New Jersey, by deed dated September 11, 1916, and recorded in the Middlesex County Clerk's Office in Book 597, page 187 &c. Also being known on the Tax Assessment Map of Woodbridge Township as Block 896, Lot 18, containing 3.24 acres more or less. Tract 1.

Tract 2. Bounded on the west by Edgar street and other lands of the State of New Jersey; on the north by Randolph avenue; on the east by Rahway avenue; on the south by main tract of Rahway Reformatory. Being the same lands and premises conveyed by Harriet T. Stanley, unmarried, to State of New Jersey, dated September 13, 1915, and recorded in the Middlesex County Clerk's Office in Book 573, page 198. Also known as Block 906, Lot on the tax duplicate of the township of Woodbridge. Tract 2.

Tract 3. Bounded on the west by Robert street, on the north by Randolph avenue; on the south by the Rahway Reformatory main tract; and on the Tract 3.

cast by Edgar street. Being the same lands and premises conveyed to the State of New Jersey by A. Edward Woodruff and Macie, his wife, by deed dated September 15, 1915, and recorded in the Middlesex County Clerk's Office in Book 573, page 207.

Tract 4.

Tract 4. Bounded on the west by lands now or formerly of August Schneider; on the north by Randolph avenue; on the east by lands now or formerly of David P. Carpenter; on the south by other lands of the State of New Jersey. Being the same lands and premises conveyed to the State of New Jersey by Bithia L. Mersereau, widow, by deed dated September 28, 1911, and recorded in the Middlesex County Clerk's Office in Book 487, page 524.

Tract 5.

Tract 5. Bounded on the west by lands of Agnes Perira; on the east by Meadow street and lands of the township of Woodbridge. Being part of a tract of 30.26 acres conveyed to the State of New Jersey by William R. Barricklo, Special Master in Chancery of New Jersey, by deed dated September 11, 1916, and recorded in the Middlesex County Clerk's Office in Book 597, page 187 &c. Also being known on the Tax Assessment Map of the Township of Woodbridge as Block 895, Lot No. 1, containing 3.53 acres more or less.

State House Commission authorized to enter into agreement.

2. The State House Commission is further authorized and empowered to enter into an agreement with the Defense Plant Corporation whereby the Defense Plant Corporation agrees to indemnify and save harmless the State of New Jersey from any future loss, damage or injury which might be sustained by the State of New Jersey by reason of the existence of said pipelines in and on lands of the State. The Defense Plant Corporation shall have the right of ingress and egress to and from said pipelines and may remove the same in whole or in part at its own expense and shall restore the lands to the State in the same condition that they were prior to the installation of said pipelines.

3. The State Treasurer is authorized to accept and receive from the Defense Plant Corporation the sum of eight hundred and thirty-two dollars and seventy-six cents ($832.76), which sum represents damages to crops planted by the New Jersey Reformatory at Rahway and which were growing upon the land at the time of the installation of the pipelines. The State Treasurer is further authorized and empowered to receive, from time to time, any sums of money which may represent damages or injuries sustained by the State of New Jersey by reason of the installation and maintenance of said pipelines in and upon its lands. Amount of damages.

4. This act shall take effect immediately.

Approved April 19, 1944.

CHAPTER 171

AN ACT prescribing a standard form of fire insurance policy, endorsements and supplemental contracts, and repealing sections 17:36–3, 17:36–4, 17:36–5 and 17:36–7 of the Revised Statutes.

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

C. 17:36-5.1. Standard fire insurance policy.

1. The printed form of a policy of fire insurance as set forth in section seven of this act shall be known and designated as the "standard fire insurance policy of the State of New Jersey."

C. 17:36-5.2. Contract of fire insurance to conform to provisions of policy.

2. No policy or contract of fire insurance shall be made, issued or delivered by any insurer or by any agent or representative thereof, on any property in this State, unless it shall conform as to all provisions, stipulations, agreements and conditions with such form of policy.

Name of insurer at head of policy.

There shall be printed at the head of said policy the name of the insurer or insurers issuing the policy; the location of the home office thereof; a statement whether said insurer or insurers operate on a stock or mutual plan or are reciprocal insurers or Lloyds underwriters; and there may be added thereto such device or devices as the insurer or insurers issuing said policy shall desire.

Forms of policy between insurers.

The standard fire insurance policy provided for herein need not be used for effecting reinsurance between insurers.

Regulations to be printed in policy.

If the policy is issued by a mutual insurer having special regulations with respect to the payment by the policyholder of assessments, such regulations shall be printed upon the policy, and any such insurer may print upon the policy such regulations as may be appropriate to or required by its form of organization.

C. 17:36-5.3. Binders for temporary insurance.

3. Binders or other contracts for temporary insurance may be made orally or in writing for a period which shall not exceed fifteen days and shall be deemed to include all the terms of such standard fire insurance policy and all such applicable endorsements, approved by the Commissioner of Banking and Insurance, as may be designated in such contract of temporary insurance; except that the cancellation clause of such standard fire insurance policy and the clause thereof specifying the hour of the day at which the insurance shall commence, may be superseded by the express terms of such contract of temporary insurance.

C. 17:36-5.4. Combination policy.

4. Two or more insurers authorized to do in this State the business of fire insurance may, with the approval of the Commissioner of Banking and Insurance, issue a combination standard form of fire insurance policy which shall contain the following provisions:

Provision that insurers be severally liable.

(a) A provision substantially to the effect that the insurers executing such policy shall be severally liable for the full amount of any loss or damage, according to the terms of the policy, or for specified percentages or amounts thereof, aggregating the full amount of such insurance under such policy.

Service of process.

(b) A provision substantially to the effect that service of process, or of any notice or proof of loss required by such policy, upon any of the insurers executing such policy, shall be deemed to be service upon all such insurers.

C. 17:36-5.5. Approval of extended coverage endorsements.

5. Appropriate forms of supplemental contract or contracts or extended coverage endorsements whereby the interest in the property described in such policy shall be insured against one or more of the perils which the insurer is empowered to assume, in addition to the perils covered by said standard fire insurance policy, may be approved by the Commissioner of Banking and Insurance, and their use in connection with the standard fire insurance policy may be authorized by him. The

first page of the policy may in form approved by the Commissioner of Banking and Insurance be rearranged to provide space for the listing of amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached, and such other data as may be conveniently included for duplication on daily reports for office records.

C. 17:36-5.6. Action to recover under policy.

6. In any action to recover under the provisions of any such policy or contract, the court shall enforce such policy or contract as if its provisions were the same as those specified in this act, unless the court finds that the actual provisions of such policy or contract were more favorable to policyholders at the date when the policy was issued.

C. 17:36-5.7. Form of standard fire insurance policy.

7. The form of the standard fire insurance policy of the State of New Jersey (with permission to substitute for the word "company" a more accurate descriptive term for the type of insurer) shall be as follows:

FIRST PAGE OF STANDARD FIRE POLICY

No.

[Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy.]

[Space for listing amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached.]

In Consideration of the Provisions and Stipulations herein or added hereto,

and of ..... **Dollars Premium**

this company, for the term } from the.....day of....., 19.... { at noon, Standard Time, at
of.....} to the .....day of....., 19.... { location of property involved,

to an amount not exceeding ..... Dollars,

does insure .....

and legal representatives, to the extent of the actual cash value of the property at the time of loss, but not exceeding the amount which it would cost to repair or replace the property with material of like kind and quality within a reasonable time after such loss, without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair, and without compensation for loss resulting from interruption of business or manufacture, nor in any event for more than the interest of the insured, against all DIRECT LOSS BY FIRE, LIGHTNING AND BY REMOVAL FROM PREMISES ENDANGERED BY THE PERILS INSURED AGAINST IN THIS POLICY, EXCEPT AS HEREINAFTER PROVIDED, to the property described hereinafter while located or contained as described in this policy, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from the perils insured against in this policy, but not elsewhere.

Assignment of this policy shall not be valid except with the written consent of this Company.

This policy is made and accepted subject to the foregoing provisions and stipulations and those hereinafter stated, which are hereby made a part of this policy, together with such other provisions, stipulations and agreements as may be added hereto, as provided in this policy.

IN WITNESS WHEREOF, this Company has executed and attested these presents; but this policy shall not be valid unless countersigned by the duly authorized Agent of this Company at .....

.....

Secretary. *President.*

Countersigned this.....day of....., 19.... .....
Agent.

SECOND PAGE OF STANDARD FIRE POLICY

Concealment, fraud. This entire policy shall be void if, whether before or after a loss, the insured has willfully concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof, or the interest of the insured therein, or in case of any fraud or false swearing by the insured relating thereto.

Uninsurable and excepted property. This policy shall not cover accounts, bills, currency, deeds, evidences of debt, money or securities; nor, unless specifically named hereon in writing, bullion or manuscripts.

Perils not included. This Company shall not be liable for loss by fire or other perils insured against in this policy caused, directly or indirectly, by: (a) enemy attack by armed forces, including action taken by military, naval or air forces in resisting an actual or an immediately impending enemy attack; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power; (h) order of any civil authority except acts of destruction at the time of and for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy; (i) neglect of the insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises; (j) nor shall this Company be liable for loss by theft.

Other Insurance. Other insurance may be prohibited or the amount of insurance may be limited by endorsement attached hereto.

Conditions suspending or restricting insurance. Unless otherwise provided in writing added hereto this Company shall not be liable for loss occurring

(a) while the hazard is increased by any means within the control or knowledge of the insured; or

(b) while a described building, whether intended for occupancy by owner or tenant, is vacant or unoccupied beyond a period of sixty consecutive days; or

(c) as a result of explosion or riot, unless fire ensue, and in that event for loss by fire only.

Other perils or subjects. Any other peril to be insured against or subject of insurance to be covered in this policy shall be by endorsement in writing hereon or added hereto.

Added provisions. The extent of the application of insurance under this policy and of the contribution to be made by this Company in case of loss, and any other provision or agreement not inconsistent with the provisions of this policy, may be provided for in writing added hereto, but no provision may be waived except such as by the terms of this policy is subject to change.

Waiver provisions. No permission affecting this insurance shall exist, or waiver of any provision be valid, unless granted herein or expressed in writing added hereto. No provision, stipulation or forfeiture shall be held to be waived by any requirement or proceeding on the part of this Company relating to appraisal or to any examination provided for herein.

Cancellation of policy. This policy shall be cancelled at any time at the request of the insured, in which case this Company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be cancelled at any time by this Company by giving to the insured a five days' written notice of cancellation with or without tender of the excess of paid premium above the pro rata premium for the expired time, which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand.

Mortgagee interests and obligations. If loss hereunder is made payable, in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be cancelled by giving to such mortgagee a ten days' written notice of cancellation.

If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in the form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment and of bringing suit. If this Company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's right to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing.

Pro rata liability. This Company shall not be liable for a greater proportion of any loss than the amount hereby insured shall bear to the whole insurance covering the property against the peril involved, whether collectible or not.

Requirements in case loss occurs. The insured shall give immediate written notice to this Company of any loss, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged and undamaged property, showing in detail quantities, costs, actual cash value and amount of loss claimed; **and within sixty days after the loss, unless such time is extended in writing by this Company, the insured shall render to this Company a proof of loss,** signed and sworn to by the insured, stating the knowledge and belief of the insured as to the following: the time and origin of the loss, the interest of the insured and of all others in the property, the actual cash value of each item thereof and the amount of loss thereto, all encumbrances thereon, all other contracts of insurance, whether valid or not, covering any of said property, any changes in the title, use, occupation, location, possession or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of loss and whether or not it then stood on leased ground, and shall furnish a copy of all the descriptions and schedules in all policies and, if required, verified plans and specifications of any building, fixtures or machinery destroyed or damaged. The insured, as often as may be reasonably required, shall exhibit to any person designated by this Company all that remains of any property herein described, and submit to examinations under oath by any person named by this Company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable time and place as may be designated by this Company or its representative, and shall permit extracts and copies thereof to be made.

Appraisal. In case the insured and this Company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen days to agree upon such umpire, then, on request of the insured or this Company, such umpire shall be selected by a judge of a court of record in the state in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item, and, failing to agree, shall submit their differences, only, to the umpire. An award in writing, so itemized, of any two when filed with this Company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's options. It shall be optional with this Company to take all, or any part, of the property at the agreed or appraised value, and also to repair, rebuild or replace the property destroyed or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention so to do within thirty days after the receipt of the proof of loss herein required.

Abandonment. There can be no abandonment to this Company of any property.

When loss payable. The amount of loss for which this Company may be liable shall be payable sixty days after proof of loss, as herein provided, is received by this Company and ascertainment of the loss is made either by agreement between the insured and this Company expressed in writing or by the filing with this Company of an award as herein provided.

Suit. No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within twelve months next after inception of the loss.

Subrogation. This Company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this Company.

THIRD PAGE OF STANDARD FIRE POLICY

ATTACH FORM BELOW THIS LINE

(BLANK PAGE)

BACK OF STANDARD FIRE POLICY
(OPTIONAL)

Standard Fire Insurance Policy of the States of

Expires_____

Property_____

Assured_____

No._____

(COMPANY)

It is important that the written portions of all policies covering the same property read exactly alike. If they do not, they should be made uniform at once.

C. 17:36-5.8. Commissioner may make examination.

8. The Commissioner of Banking and Insurance may, whenever he deems it necessary for the proper administration of any provision of law, make or cause to be made, an examination of the books, records, policies, riders, endorsements, supplemental contracts and other documents of any insurer doing in this State the business of direct fire insurance, or of any rating organization of which any such insurer is a member or subscriber.

C. 17:36-5.9. Commissioner may prepare standard form of rider.

9. If as a result of such examination or of any investigation of the forms of such riders, endorsements, supplemental contracts or other addenda, the Commissioner of Banking and Insurance determines that any rider, endorsement or other addendum for use in connection with the fire insurance contract should be uniform in this State or in any part thereof, he may, after reducing to writing such determination and his findings of fact relating thereto, prepare or cause to be prepared a standard form thereof, and thereupon give notice of such proposed form together with his determination and findings of fact, to all insurers authorized in this State to do the business of direct fire insurance and to all rating organizations of which any such insurer is a member or subscriber. The Commissioner of Banking and Insurance may hold a public hearing thereon after notice to such insurers and rating organizations. The Commissioner of Banking and Insurance may by official regulation prescribe the form or forms of any riders, endorsements, or other addenda used in connection with any fire insurance contract covering any property located in this State, the extent to which the use of such form or forms shall be permitted and shall be exclusive of any other form or forms covering substantially the same agreement, the effect, if any, of the use of such form or forms upon rates, and the time when such regulation or regulations shall become effective, which shall not be less than thirty days after the giving of notice thereof to all such insurers and rating organizations. Any insurer doing in this State the business of fire insurance

Commissioner may prescribe form of rider.

which shall in violation of any such regulation attach to, or otherwise make a part of any contract of fire insurance covering any property located in this State, any rider, endorsement, clause, permit, or other addendum which covers substantially the same agreement as such prescribed form and which is not in the precise language of such prescribed form, and any officer of such insurer who knowingly participates in such violation, shall be guilty of a misdemeanor.

Misdemeanor.

C. 17:36-5.10. File with commissioner forms of riders.

10. Any such rating organization, may at any time present to the Commissioner of Banking and Insurance for filing in his office forms of riders, endorsements, clauses, permits or other addenda to be attached to and made a part of all or any class or classes of fire insurance contracts covering property located in this State. Any insurer may present any such form for filing, if after a reasonable request, the rating organization of which it is a member or subscriber has failed or refused to present such form for filing. If the Commissioner of Banking and Insurance finds that any such form or forms are not in conflict with law or with any official regulation, he may approve and file the same. The Commissioner of Banking and Insurance may whenever he deems it in the public interest refuse to approve any such form or he may approve one or more alternative forms. Unless and until such form is superseded as herein provided, any such form presented by a rating organization and approved as aforesaid, shall be used by every insurer which is and continues to be a member or subscriber of such rating organization, and any such form presented by an insurer and approved as aforesaid, shall be used by such insurer, to the exclusion of any form or forms not approved by the Commissioner of Banking and Insurance covering substantially the same agreement. Any such form may be superseded by withdrawal of approval or by the filing and approving of a new form or forms covering substantially the same

agreement or by official regulation pursuant to provisions of this act.

C. 17:36-5.11. May withdraw approval.

11. The Commissioner of Banking and Insurance may after notice and hearing withdraw any such approval. The action of the Commissioner of Banking and Insurance in refusing or withdrawing any such approval shall be subject to judicial review.

C. 17:36-5.12. Order made in writing.

12. Whenever the Commissioner of Banking and Insurance is authorized to grant any approval, authorization or permission or to make any other order affecting any insurer, insurance agent, insurance broker or other person or persons subject to this act, such order shall not be effective unless made in writing and signed by the Commissioner of Banking and Insurance or by his authority.

C. 17:36-5.13. Section repealed.

13. Sections 17:36–3, 17:36–4, 17:36–5 and 17:36–7 of the Revised Statutes and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed. Nothing in this act shall be construed to repeal section 17:36–6 of the Revised Statutes, nor shall this act affect existing policies or rights thereunder.

Section 17:36-6 not repealed.

C. 17:36-5.14. Effective.

14. This act shall take effect on January first, one thousand nine hundred and forty-five.

Approved April 20, 1944.

CHAPTER 172

AN ACT to provide for the use of the Delaware and Raritan canal and to provide an appropriation therefor, and to supplement chapter thirteen of Title 13 of the Revised Statutes.

Preamble.

WHEREAS, Pursuant to an act entitled "An act to provide for the possession of the Delaware and Raritan canal by the State of New Jersey" (Chapter 139 of the Laws of 1934) and an act amendatory thereof (being Chapter 238 of the

Laws of 1934), the State of New Jersey has taken possession of the Delaware and Raritan canal and the feeder thereof (the same being hereinafter in this act collectively called said canal) and the appendages thereto and the works and improvements erected thereon, except certain properties and facilities referred to in the proviso of section five of chapter one hundred thirty-nine of the laws of one thousand nine hundred and thirty-four, and except certain existing highway bridges over the same; and

Preamble. WHEREAS, The Department of Conservation and Development was directed to maintain and operate said canal in the manner set forth in the above mentioned acts until the Legislature shall have further directed the use or dispossession of the same; and

Preamble. WHEREAS, The Department of Conservation and Development has been maintaining said canal pursuant to the authority granted to it; and

Preamble. WHEREAS, The Department of Conservation and Development and the Delaware and Raritan Canal Commission have made a joint report to the Legislature with recommendations as to the permanent utilization of said canal for the best interests of the State of New Jersey; and

Preamble. WHEREAS, In making water available from said canal for industrial use, particularly in the Somerville, Bound Brook and New Brunswick areas, gives promise of a development in this section of the State which will not be possible without an industrial water supply over and above the present supply and such an industrial development would cause a large expansion of taxable ratables, an accession of population to the area and a development of the whole section which will result in permanent benefit to the State; and

Preamble.

WHEREAS, The Legislature is of opinion that said canal is the best source now available for increase in the industrial water supply of that section of the State and that the best interests of the State will be served by the permanent utilization of said canal as a supply for industrial water and for recreational purposes; now, therefore,

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

C. 13:13-12.1. Canal and feeder source of industrial water supply.

1. The Delaware and Raritan canal and the feeder thereof and the appendages thereto and the works and improvements erected thereon, except the properties and facilities referred to in the proviso of section five of chapter one hundred thirty-nine of the laws of one thousand nine hundred and thirty-four and except the existing vehicle bridges over the same, shall henceforth be used as a source of industrial water supply and for recreational purposes, all as hereinafter more fully set forth.

C. 13:13-12.2. Department of Conservation and Development to retain possession.

2. The Department of Conservation and Development shall continue to retain possession of said canal and shall hold the same for the purposes of this act.

C. 13:13-12.3. Department to repair and improve canal.

3. Until otherwise directed by the Legislature, the Department of Conservation and Development shall repair, rehabilitate, reconstruct, maintain and improve the said canal in such manner as shall preserve said canal in safe and proper condition for operation of the same for the purposes of this act and as shall maintain such necessary flow through said canal in order that safety and sanitary conditions in and adjoining said canal shall be in a safe and wholesome condition and as shall assure and maintain such flow of water through said canal as may from time to time be appropriate in order that the maintenance and operation of said canal as a source of industrial water supply may be efficiently provided for.

C. 13:13-12.4. Empowered to sell water for industrial purposes.

4. The Department of Conservation and Development shall be empowered to sell, for industrial purposes, water from said canal, on just and reasonable terms and conditions and at just and reasonable prices, and shall be empowered to enter into long term contracts, but not exceeding twenty-five years, for the sale of such water, for industrial purposes, whenever it deems the same will reasonably promote industrial development in any section or sections of the State through which said canal flows and will properly conserve the public interest.

C. 13:13-12.5. Department may enter into contracts.

5. Without limiting the powers herein granted to the Department of Conservation and Development it may, if it deems proper, enter into contracts for the sale, for industrial purposes, of water from the said canal but such contracts shall not exceed a duration of twenty-five years and which contracts may as a part thereof provide that the purchaser of such industrial water may repair, reconstruct, rehabilitate, improve and maintain certain parts of the canal and likewise require when such purchaser shall return to the canal the water developed for such industrial purposes in such condition as the department may require or determine and may likewise contract for the sale of such water for industrial purposes by the withdrawal from the canal either in pipeline, viaduct or other means of transmission to any convenient point within the Raritan basin; *provided, however,* that no contract for the sale of industrial water or the repair, rehabilitation, reconstruction, maintenance and improvement of the said canal shall be entered into or let or awarded unless and until the Governor shall have approved thereof in writing.

Proviso.

C. 13:13-12.6. Department may lease to employees dwellings.

6. The Department of Conservation and Development is empowered to lease or, in its discretion, use as residence for its employees connected with the maintenance of said canal, such canal lands and dwellings as will not interfere with the operation of the same as herein provided and the Department of Conservation and Development is

empowered to lease, for industrial or other purposes, such canal lands as may, in the opinion of the department, be suitable for such use and as will not, in the opinion of the department, unreasonably interfere with the use of said canal as a source of industrial water supply and for recreational and park purposes as hereinafter provided for.

C. 13:13-12.7. Improve canal for park purposes.

7. The Department of Conservation and Development shall, in addition, improve such portion of said canal and its appurtenances as it may deem proper to develop for recreational and park uses; *provided,* said uses shall not unreasonably interfere with the efficient operation of said canal as a source of industrial water supply.

C. 13:13-12.8. State Highway Commission take possession of bridges.

8. The State Highway Commission in co-operation with the Department of Conservation and Development is empowered and directed to enter upon and take possession of all of the existing vehicle bridges over the said canal and to maintain, repair and keep the same in safe condition. The cost of the same shall be borne and paid out of funds appropriated as highway funds.

C. 13:13-12.9. Appropriation.

9. There is hereby appropriated out of general funds of the State to the Department of Conservation and Development the sum of two hundred twenty-five thousand dollars ($225,000.00) for repair, rehabilitation and improvement of said canal, for the purposes herein provided.

C. 13:13-12.10. Acts repealed.

10. The provisions of any other act or acts inconsistent with the provisions of this act are hereby repealed.

11. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 173

AN ACT to provide that masters of the Court of Chancery shall be ex-officio masters of the Prerogative Court, and supplementing chapter three of Title 2 of the Revised Statutes.

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

C. 2:3-4. Masters of prerogative court.

1. The masters of the Court of Chancery shall be ex-officio masters of the Prerogative Court.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 174

AN ACT respecting notice of lis pendens, and amending section 2:26–30 of the Revised Statutes.

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

Section amended.

1. Section 2:26–30 of the Revised Statutes is amended to read as follows:

Specify book and page of record.

2:26–30. In proceedings for the satisfaction or foreclosure of a duly recorded or registered mortgage or the foreclosure of a duly recorded certificate of tax sale, the notice of lis pendens shall, in addition to describing the affected real estate, specify the book and page of the record or registration of the mortgage or of the record of the certificate of tax sale, as the case may be; and the notice shall be filed, and the time of its filing and the time of the filing of the bill, with the name of

the complainant and the first defendant named, shall, in lieu of any other indexing and recording, be noted in the margin of the record of the mortgage or of the record of the abstract thereof or in the margin of the record of the certificate of tax sale, as the case may be.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 175

AN ACT relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section one of "An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33–1 of the Revised Statutes," approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118).

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

C. 17:22-6.1. Insurance agent defined.

1. An insurance agent is hereby defined to be an individual, a resident of this State or whose principal office for the conduct of his insurance business is in this State, authorized in writing by any insurance company lawfully authorized to transact business in this State, to act as its agent, with authority to solicit, negotiate and effect contracts

of insurance in its behalf, to collect the premiums thereon, and who has a bona fide office in this State in which is kept a record of the contracts of insurance countersigned or issued by him.

C. 17:22-6.2. Insurance broker defined.

2. An insurance broker is hereby defined to be an individual who, for a commission or brokerage consideration, shall act or aid in any manner in negotiating contracts of insurance, or soliciting or effecting insurance as agent for an insured or prospective insured, other than himself; or an individual who, being a licensed agent, places insurance in an insurance company which he does not represent as agent.

C. 17:22-6.3. Insurance solicitor defined.

3. An insurance solicitor is hereby defined to be an individual, employed and authorized by a duly licensed insurance agent or broker to solicit and negotiate contracts of insurance solely on behalf of such agent or broker.

C. 17:22-6.4. Insurance company defined.

4. The words "insurance company" wherever used in this act shall be held to include indemnity companies, casualty companies, fidelity companies, surety companies and guaranty companies; the words "insurance," and "insurance policy" or "insurance contract" wherever used in this act shall, without otherwise limiting the meaning of those terms, be held to include contracts of indemnity, casualty, fidelity, surety and guaranty; and the word "commissioner" wherever used in this act shall mean the Commissioner of Banking and Insurance.

C. 17:22-6.5. Commissioner may group kinds of insurance.

5. The commissioner may from time to time make reasonable grouping of the kinds of insurance that may lawfully be written in this State for the purpose of prescribing examinations for agent and solicitor licenses for each group respectively.

C. 17:22-6.6. Application for license.

6. Any person not now engaged in the insurance business in this State as agent or broker, and hereafter desiring to engage in said business as agent, broker or solicitor, and any licensed agent or solicitor hereafter desiring to be licensed for an additional group or groups of insurance as may be provided by section five of this act, shall apply, in

accordance with the provisions of this act, to the commissioner for a license authorizing him to engage in and transact such business, or such group or groups thereof respectively. If the applicant for a broker's license be a nonresident he shall show that he is the holder of an unexpired license as an insurance broker or agent in the State of his residence, or in which he maintains his principal office for the conduct of his insurance business, or that he has established a principal office in this State for the transaction of such business. If the application be for a solicitor's license it shall be accompanied by a written request of a licensed agent or broker with whom such solicitor has established a solicitor relationship. All such applications shall be in writing on uniform forms and supplements prepared by the commissioner, and shall be accompanied by an examination fee of ten dollars ($10.00) (unless applicant be exempt from examination as set forth in section ten of this act). The applicant shall make sworn answers to such interrogatories as the commissioner may require, and the application shall include a certificate by a resident representative of an insurance company lawfully authorized to transact business in this State, or by a licensed insurance agent or broker of this State, certifying:

Nonresident applicant.

Applications in writing.

Examination fee.

Certificate by resident representative of insurance company.

(a) that the applicant is a resident of this State, or if a nonresident has his principal office for the conduct of such business in this State, or that he is an applicant for a nonresident broker's or solicitor's license;

Applicant is a resident.

(b) that the applicant is personally known to him;

Personally known.

(c) that the applicant has had experience or instruction in the general insurance business or (if seeking an agent or solicitor license) some group or groups of the kind or kinds of insurance for which he may desire to be specifically licensed;

Experience in the general insurance business.

(d) that the applicant is of good reputation and is worthy of a license.

Applicant is of good reputation.

C. 17:22-6.7. Nonresident applicant to execute power of attorney.

7. If the applicant for a broker's or solicitor's license be a nonresident, the applicant shall, by a duly executed power of attorney filed with the commissioner, constitute the commissioner and his successors in office his true and lawful attorney, upon whom any original process in any action or legal proceedings against him may be served, and therein shall agree that any original process against him which may be served upon the commissioner shall be of the same force as if served on the applicant, and that the authority thereof shall continue in force irrevocable so long as any liability of the applicant remains outstanding in this State. If such applicant shall fail to qualify for a first-time license, such power of attorney shall be returned to him.

C. 17:22-6.8. Service of process.

8. The service of such process shall be made by leaving a copy thereof in the office of the commissioner with a service fee of two dollars ($2.00) to be taxed in the plaintiff's cost of suit. Such service upon the commissioner shall be deemed sufficient service upon such nonresident. When any original process is served upon the commissioner as attorney for any such nonresident, and a service fee of two dollars ($2.00) paid, he shall forthwith notify such nonresident of such service by letter directed to him at his last known address. He shall within two days after such service forward in the same manner a copy of the process served on him to such nonresident. The commissioner shall keep a record of all such process, which shall show the day and hour of service.

Service fee.

C. 17:22.6.9. Personal examination.

9. After the receipt of such application in due form, properly verified and certified, it shall be the duty of the commissioner or his deputy, or any salaried employee of the department designated by the commissioner, within a reasonable time and in a place reasonably accessible to the applicant, to subject each first-time applicant for license and if the commissioner deems necessary, any applicant for renewal of license, to personal examination in order to determine his trustworthiness and com-

petency to act as such agent, broker or solicitor. If the applicant for a broker's or solicitor's license be a nonresident licensed broker, solicitor or agent, the commissioner may waive such examination; *provided,* the State issuing such license requires no like examination of licensed brokers, solicitors or agents of this State. When it is shown from such application and examination that the applicant

Proviso.

(a) intends in good faith to act as an insurance agent, broker or solicitor, and

(b) is actively to engage in the general insurance business, or a particular group or groups thereof with the general public, and

(c) is of good reputation, and

(d) has had experience or training, or is otherwise qualified by education in the kind or kinds of insurance for which he desires to be licensed, and

(e) is a resident of this State or has his principal office for the conduct of such business in this State (unless such application be for a nonresident broker's or solicitor's license), and

(f) is reasonably familiar with the insurance laws of this State, and with the provisions, terms and conditions of the policies or contracts he is proposing to solicit, negotiate or effect, and

(g) he is then engaged in or intends to engage in the business of writing or negotiating insurance as his principal business or occupation or as a substantial part thereof, separate and apart from any connection which he may have with any partnership or corporation whose principal business is lending of money, and

(h) is not seeking such license principally for the purpose of negotiating or writing insurance on property owned by him, or in which he has an insurable interest, or on property

or insurable interests of a relative or his employer, and

(i) is worthy of a license,

Commissioner to issue license.

the commissioner shall issue to the applicant a license to transact business in this State as an insurance agent, broker or solicitor, as the case may be. Licenses so issued shall expire annually as follows: To agents on April thirtieth; and to brokers and solicitors on December thirty-first, unless sooner revoked by the commissioner for cause as provided in this act. A license so issued to a solicitor shall be suspended upon termination of the required established solicitor relationship but shall be reinstated upon a written request from another licensed agent or broker with whom such solicitor has established a solicitor relationship.

C. 17:22-6.10. Examination not required in certain cases.

10. No such examination shall be required as prerequisite to the issuance of a license as insurance agent to

(a) any ticket selling agent of a railroad company, steamship company, carrier by air, or public bus carrier, who shall act thereunder as insurance agent only in reference to the issuance of accident insurance tickets or insurance on personal effects while being carried as baggage in connection with the transportation provided by any such ticket; or

(b) any regular salaried officer or employee of any insurance company authorized to do business in this State, provided such officer or salaried employee solicits business only from, for, or in conjunction with a licensed insurance agent or broker.

C. 17:22-6.11. Temporary license.

11. In the event of the death or the inability further to act, of a licensed insurance agent holding a certificate of authority from any insurance company, where no other agent in the agency, copartnership, association or corporation is authorized to represent such insurance company the com-

missioner may issue a temporary license to another person enabling such other person to represent any such insurance company, upon an application being made in conformity with section six above and containing the additional information required by this section. In the event of the death or the inability further to act of a licensed insurance broker, the commissioner may issue a temporary license to another person to carry on the insurance business of such broker upon an application being made in conformity with section six above and containing the additional information required by this section. Such temporary license shall continue only until the licensee is afforded an opportunity of taking the examination provided in section nine above, but not to exceed a period of six months.

C. 17:22-6.12. Renewal of certificates.

12. Renewal of all certificates of authority and licenses in force on the effective date of this act, as they expire, and renewal of all licenses issued under this act, as they expire, shall be by license issued by the commissioner upon application in writing by the applicant, subject to the conditions of examination of such applicants as set forth in section nine for renewal of license, and upon payment of the annual license fee. Such renewal license shall, in the case of an agent or solicitor, be limited to the group or groups of the kinds of insurance for which applicant was licensed during the preceding year. If the application be for the renewal of a solicitor's license it shall be accompanied by a written request as provided in section six of this act. All present employees of agents or brokers who hold a broker's license shall have such license renewed upon expiration as a solicitor's license, in accordance with the terms and conditions of this act. The holder of a present broker's license may have the same renewed as such if he is an independent contractor.

C. 17:22-6.13. Annual fee.

13. The annual fee to be paid to the commissioner by each person licensed shall be ten dollars ($10.00) for an agent's license and shall be twenty-

five dollars ($25.00) for a broker's license and twenty-five dollars ($25.00) for a solicitor's license.

C. 17:22-6.14. Insurance company may appoint agent.

14. Any insurance company lawfully authorized to transact business in this State may, by a written certificate of authority, contract with and appoint as its representative in this State, as its agent or agents, any person or persons who holds an unexpired certificate of authority issued prior to the effective date of this act, or a license issued under the provisions of this act. Such company shall file with the commissioner a certificate showing the names and addresses of such appointees and shall pay a fee of one dollar ($1.00) for each company appointment so made by a domestic insurance company, or a fee of two dollars ($2.00) for each company appointment so made by an insurance company of another State or foreign country. If an agency is operating its business affairs as a copartnership or corporation, such certificate of authority may be issued by such company in the name of such copartnership or corporation, which certificate shall permit such copartnership or corporation to be licensed as an insurance agent under this act; *provided,* all individuals actively engaged in the insurance business of such agency hold an unexpired agent's license issued in accordance with the provisions of this act. The payment of one agency appointment fee by each insurance company represented by said agency, shall cover all of its licensed agents in said agency. Such certificate of authority shall remain in full force and effect until the license as agent is revoked by the commissioner as provided in this act or canceled by the company upon written notice to that effect filed with the commissioner. Any licensed insurance agent who is a stockholder, officer or agent of any such corporation may be authorized by it to act for such corporation. Nothing contained in this act shall vest in any individual stockholder, officer or agent of any such corporation, any vested interest, claim, title or proprietary right in the agency franchise or otherwise, separate and apart from

Fee.

If agency copartnership or corporation.

Proviso.

Payment of agency appointment fee.

the title, franchise or proprietary right of the said corporation.

C. 17:22-6.15. Contracts countersigned by licensed agent.

15. All contracts of insurance for or on behalf of any insurance company, covering any property, or insurable interests, or business activities, located within, or transacted within this State, except as hereinafter provided, shall be countersigned by a licensed agent. This section shall not apply to insurance covering the rolling stock belonging to and used in the operation of railroad corporations or other common carriers, or property in transit while in the possession or custody of railroad corporations or other common carriers, nor to reinsurance between companies, nor to contracts written by companies authorized to transact the business of life insurance, or life, accident and health insurance only. Nothing in this section shall be construed to prevent the use, in the discretion of the insurance company assuming the risk, where the business originates and is negotiated outside of this State, of a countersignature endorsement which on its face is identified with the insurance contract for attachment to which it is issued, and which on its face develops information in respect of said contract, including full premium information, sufficient for the countersigning agent's record, and which shall be signed by the countersigning agent. The signing of a countersigning endorsement by any such agent shall not create any responsibility or liability on the part of such agent as to the accuracy or the legality of the contract to which it is attached, but such responsibility and liability shall be assumed by the issuing company.

C. 17:22-6.16. Notice in form of show-cause order.

16. The commissioner, after ten days' notice in the form of a show-cause order, given in writing to an agent, broker or solicitor, and after a hearing held in conformity with said show-cause order, may revoke the license of any such agent, broker or solicitor, or refuse to renew the same, in the event that investigation by him and such hearing, discloses the fact that

(a) it was obtained by fraud or misrepresentation, or

(b) the respondent is not actively engaged in the general insurance business, or a particular group or groups of the kind or kinds of insurance business with the general public, or

(c) premiums received by such agent, broker or solicitor to which any insurance company is legally entitled, are illegally withheld, or

(d) , for any license year, the premium writings of the respondent, represented by the premiums or contracts of insurance obtained, countersigned or issued by him for the general public does not exceed those on contracts of insurance obtained, countersigned or issued by him covering his own property or insurable interests or that of his relatives and his employer, or

(e) the respondent has violated any provision of the insurance laws of this State, or

(f) the insurable interests of the public are not properly served under said license.

C. 17:22-6.17. Person aggrieved may petition court.

17. Within thirty days after any such revocation of license or refusal to issue or renew a license, the person aggrieved shall have the right to petition a court of competent jurisdiction, to require said commissioner to show cause why such license should not be reinstated, issued or renewed.

C. 17:22-6.18. Company to pay commission to licensed agent.

18. No insurance company shall pay any money or commission or brokerage or give or allow any valuable consideration (except compensation to salaried employees or to supervising general agents, of any insurance company lawfully authorized to transact business in this State), to any person, partnership, association or corporation, other than a duly licensed agent or broker as herein defined, for or because of service rendered or performed in this State in negotiating or effecting in this State a contract of insurance on any property, or insurable interests, or business activities located within or transacted within this State (except re-

insurance); nor shall any insurance company effect or issue any such contract of insurance unless it is countersigned or an appropriate countersignature endorsement (except as provided in section fifteen of this act) is signed by a duly licensed agent as herein defined.

C. 17:22-6.19. Unlimited right to negotiate contracts outside of State by nonresident agents.

19. Nothing contained in section eighteen nor in this act shall be construed as preventing the free and unlimited right to negotiate outside of this State, contracts of insurance by nonresident brokers, licensed in accordance with the provisions of this act; *provided,* the policies, renewals, endorsements, or evidence of such contracts, covering properties or insurable interests or business activities in this State (except as provided in section fifteen of this act) are countersigned by a licensed agent as defined in this act. All contracts of insurance negotiated or solicited by any broker shall be placed through a licensed agent as defined in this act.

C. 17:22-6.20. Unlawful for person to represent himself as agent.

20. It shall be unlawful for any person, without conforming to the provisions of this act, directly or indirectly to represent himself to be the agent of any insurance company, or a broker representing any assured, or the solicitor for any agent or broker, or to solicit, negotiate or effect in this State any contract of insurance or renewal thereof, or to attempt to effect the same on any property, or insurable interests or business activities, located within, or transacted within this State; *provided, however,* this section shall not apply to the clerical duties of office employees, nor the managerial or supervising duties of general agents or managers.

Proviso.

C. 17:22-6.21. Unlawful to solicit for company not authorized to transact business.

21. It shall be unlawful for any person directly or indirectly to collect any insurance premium, or to solicit, negotiate, effect, procure, receive, or forward any contract of insurance or renewal thereof, in relation to any property or insurable interest in this State, for any insurance company not lawfully authorized to transact business in this State, or in any manner to aid or assist in any such transactions, unless specifically authorized so to

do, under a surplus line license, issued by the commissioner as provided by section 17:36–1 of the Revised Statutes, which license shall likewise permit the licensee to procure all other lines of insurance other than life and annuity contracts in the same manner and under the same terms and conditions as now provided for fire insurance under said last-named section, except that the payment of the premium tax shall be made to the State Tax Commissioner for the use of the State.

C. 17:22-6.22. Unlawful to countersign policy in blank.

22. It shall be unlawful for any agent to countersign any policy of insurance in blank or to sign any countersignature endorsement in blank.

C. 17:22-6.23. Not to apply to certain companies.

23. The foregoing provisions of this act shall not apply to any insurance company, or the representatives thereof, authorized to transact the business of life insurance, or life, accident and health insurance only, as provided in subsections C and D of section 17:17–1 of the Revised Statutes, nor to any insurance company, or the representatives thereof, authorized to transact the business of title insurance as provided in subsection H of section 17:17–1 of the Revised Statutes.

C. 17:22-6.24. Certificate of authority.

24. No agent of any insurance company authorized to transact in this State the business of life insurance, or life, accident and health insurance only, shall make or procure to be made, or act or aid in any manner in the negotiation of any insurance with the company covering risks of any kind in this State until he procures from the commissioner a certificate of authority so to do, which shall state in substance that the company is authorized to do business under the laws of this State, and that the person named therein is the constituted agent of the company for the transaction of the business. Upon receipt of a certificate by the company of its appointment of a suitable person to act as its agent in this State, the commissioner shall, if the facts warrant it, grant the certificate, which shall continue in force until May first next after its issue, and by renewal thereof before May first of each year until revoked by the commis-

Term of certificate.

sioner for noncompliance with the laws or until the appointment of the agent is revoked by written notice from the company to that effect, filed with the commissioner.

C. 17:22-6.25. Fine on conviction.

25. Any person, persons or corporation violating any of the provisions of this act shall on conviction be fined a sum not exceeding one hundred dollars ($100.00), to be recovered as provided in section 17:33–2 of the Revised Statutes.

C. 17:22-6.26. Acts repealed.

26. Sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section one of "An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33–1 of the Revised Statutes," approved May sixteenth, one thousand nine hundred and forty-one, and all acts or parts of acts inconsistent herewith are repealed.

C. 17:22-6.27. Validity of act.

27. Should any provision or section of this act be held invalid for any reason, such holding shall not be construed as affecting the validity of any remaining portion of such section or of this act, it being the legislative intent that this act shall stand notwithstanding the invalidity of any such provision or section.

C. 17:22-6.28. Effective.

28. This act shall take effect May second, one thousand nine hundred and forty-four.

Approved April 20, 1944.

CHAPTER 176

AN ACT to authorize surviving directors of dissolved banks and trust companies of this State, as trustees on dissolution (subsequent to the time limited in sections 17:4–118 and 17:4–118.1 of the Revised Statutes), for the purpose of liquidating its assets and winding up a trust, to sell, convey, liquidate and distribute, and otherwise deal with the assets of inter vivos trusts held by the bank or trust company as trustee upon inter vivos trusts created prior to dissolution, and validating and confirming certain deeds and other instruments heretofore made by such surviving directors.

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

C. 17:4-118.2. Surviving directors may as trustee convey.

1. The surviving directors of any dissolved bank or trust company organized under the laws of the State of New Jersey which, at the time of dissolution, held the title to real or personal property as trustee, upon a trust created inter vivos prior to its dissolution, with the consent of the beneficiaries of the trust and for the purpose of liquidating the assets and winding up the trust, may as trustees on dissolution, in the name of the corporation as trustee, sell, convey, liquidate and distribute the assets of the trust and otherwise deal with the subject matter of the trust in accordance with its terms subsequent to the time limited in sections 17:4–118 and 17:4–118.1 of the Revised Statutes with the same force and effect as if the said bank or trust company had not been dissolved.

Deeds of conveyance validated.

2. Any deed or deeds of conveyance, or other instruments, heretofore executed and delivered by the surviving directors as trustees on dissolution

of any dissolved bank or trust company (as trustee), organized under the laws of the State of New Jersey, for or pertaining to any lands, tenements or hereditaments situate in the State of New Jersey held in trust by the said bank or trust company at the time of dissolution upon an inter vivos trust created prior to dissolution, in accordance with the terms of the trust instrument, are hereby validated and confirmed notwithstanding the dissolution of such bank or trust company, and notwithstanding such instrument was executed and delivered at a time subsequent to the time limited under sections 17:4–118 and 17:4–118.1 of the Revised Statutes.

3. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 177

AN ACT concerning education, providing for salaries of county superintendents of schools, and amending section 18:4–2 of the Revised Statutes.

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

1. Section 18:4–2 of the Revised Statutes is amended to read as follows: Section amended.

18:4–2. The yearly salary of a county superintendent of schools shall be six thousand dollars ($6,000.00) and shall be paid in equal semimonthly installments. The State Comptroller shall, on the order of the commissioner, draw his warrant for such salary on the State Treasurer. Annual salary.

2. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 20, 1944.

CHAPTER 178

AN ACT to regulate elections, and amending section 19:45–7 of the Revised Statutes.

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

Section amended.

1. Section 19:45–7 of the Revised Statutes is amended to read as follows:

Compensation members county boards.

19:45–7. The compensation of the members of the several county boards shall be as follows: in counties having a population exceeding five hundred thousand, two thousand six hundred dollars ($2,600.00) per annum; in counties having a population of not more than five hundred thousand or less than one hundred and seventy-five thousand, two thousand dollars ($2,000.00) per annum; in counties having a population of not more than one hundred and seventy-five thousand or less than one hundred and fifty thousand, eighteen hundred dollars ($1,800.00) per annum; in counties having a population of not more than one hundred and fifty thousand or less than one hundred and fifteen thousand, twelve hundred dollars ($1,200.00) per annum; in counties having a population of not more than one hundred and fifteen thousand or less than ninety thousand, one thousand dollars ($1,000.00) per annum; in counties having a population of not more than ninety thousand or less than forty-eight thousand, nine hundred dollars ($900.00) per annum; in counties having a population of not more than forty-eight thousand, six hundred dollars ($600.00) per annum. The members of the county board in counties other than counties of the first class who shall be elected as chairman and secretary thereof and who shall perform the duties of chairman and secretary thereof shall each receive an additional compensation of one-half of the compensation of the individual members of the board.

Compensation of clerks of county boards.

The compensation of the clerk of the county board of elections in counties of the first class shall be as follows: for the first year of service in such position the sum of thirty-five hundred dollars ($3,500.00) per annum; to be increased at the rate of one hundred and fifty dollars ($150.00) per annum for each year of service, to the maximum of fifty-five hundred dollars ($5,500.00) per annum; and the compensation of the assistant clerks shall be, for the first year of service in such positions, the sum of three thousand dollars ($3,000.00) per annum, to be increased at the rate of one hundred dollars ($100.00) per annum for each year of service to the maximum of forty-five hundred dollars ($4,500.00) per annum. The compensation of the clerk-stenographer shall be fixed by the county board, to be paid by the county treasurer, semimonthly as other county employees are paid; *provided, however,* that in counties of the first class, wherever assistant clerks and the clerk-stenographer have not, at the time of the adoption of this act, been appointed from the competitive class of civil service, the foregoing provisions concerning their salaries shall not apply but their salaries shall be, now or hereafter, in such sums as shall be recommended from time to time by the county board of elections and approved by the county board of freeholders of the county. This section shall apply to such clerks and assistant clerks whether heretofore or hereafter appointed and the years of service shall be computed from the time of their respective appointments to such positions.

Compensation commissioner of registration.

The commissioner of registration in a county of the first class shall receive twenty-five hundred dollars ($2,500.00) per annum, for services performed as such commissioner of registration, and for such services performed by a commissioner of registration in a county other than a county of the first class additional compensation shall be paid to such commissioner in an amount equal to fifty per centum (50%) of his salary as member and secretary of the county board. In counties of the

second class where a member of the county board serves as commissioner of registration, he shall receive no additional compensation for the performance of his duties as such commissioner unless he shall devote his full time to the performance of his duties as a member of the county board, secretary thereof, and commissioner of registration.

Full time. "Full time" as here used means such time as is daily required of employees in the office of the county board.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 179

AN ACT appropriating seven thousand two hundred dollars ($7,200.00), or so much thereof as may be necessary, to the Board of Conservation and Development for the acquisition of certain lands adjoining Voorhees State Park in the county of Hunterdon.

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

Appropriation. 1. There is appropriated the sum of seven thousand two hundred dollars ($7,200.00), or so much thereof as may be necessary, to the Board of Conservation and Development for the acquisition of the premises hereinafter described, which are located in the township of Lebanon in the county of Hunterdon, which premises when acquired shall be added to and become part of Voorhees State Park.

Description of premises to be acquired. 2. The premises to be acquired under this act are as follows: A plot containing 118.01 acres, more or less, excepting 5.83 acres heretofore sold to Edgar Lance by deed dated April 14, 1892, and recorded in Book 197 of Deeds, page 362. Being the same premises conveyed to John N. McCathran by deed dated April, 1902, recorded in Book 265 of

Deeds, page 182. Also a plot containing 2 acres, more or less, adjoining the above described tract on the east, which tract is rectangular in shape, the easterly line of which runs South 74½° East 6.35 chains and which tract is to be surveyed to obtain the exact metes and bounds. Being a portion of the premises conveyed to John McCathran by deed dated April 3, 1893, and recorded in Book 236 of Deeds, page 349. Both of said tracts are now owned by Dora Deutsch.

3. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 180

AN ACT concerning education, and providing minimum salaries for teachers in school districts, and amending section 18:13–13 of the Revised Statutes.

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

1. Section 18:13–13 of the Revised Statutes is amended to read as follows: Section amended.

18:13–13. The minimum salary of a teacher in any school district in any county of this State shall be twelve hundred dollars ($1,200.00) per academic year, and a proportionate amount for less than an academic year. Minimum salary.

An "academic year," for the purpose of this act, means the period between the time the school opens in the district after the general summer vacation until the next succeeding summer vacation. Academic year.

The provisions of this act shall not apply to teachers employed as substitutes on a day-to-day basis. Provisions not to apply.

2. This act shall take effect September first, one thousand nine hundred and forty-four. Effective

Approved April 20, 1944.

CHAPTER 181

AN ACT providing for the cancellation of bonds without surety given by certain fiduciaries.

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

C. 3:8-19.1. Bond given by bank or trust company.

1. Whenever a fiduciary which was or is a bank, trust company, savings bank or national bank, has heretofore given or hereafter gives a bond without surety and it shall appear to the satisfaction of the orphans' court of the county in cases in which the fiduciary was appointed by the surrogate or by the orphans' court of the county, or to the satisfaction of the ordinary in cases in which the fiduciary was appointed by the ordinary, or to the satisfaction of the Chancellor in cases in which the fiduciary was appointed by the Chancellor, that the person entitled to take the assets of the estate or trust administered by the fiduciary has received the same, and has by release or other instrument released the fiduciary from liability, the orphans' court or the ordinary or the Chancellor, as the case may be, upon application by or on behalf of the fiduciary or any other person interested, and upon such notice as may be prescribed, or without notice if it be so directed, make an order cancelling the bond given by the fiduciary and discharging the fiduciary from all liability on the bond.

Court may make order cancelling bond.

C. 3:8-19.2. Order made upon proof that decree barring creditors has been entered.

2. No such order shall be made in cases in which the fiduciary is an executor, administrator with the will annexed, substituted administrator with the will annexed, administrator or substituted administrator except upon proof that a decree barring creditors has been entered pursuant to section nine of chapter twenty-five of Title 3 of the Revised Statutes, and that there are not unpaid or pending any claims of creditors of the decedent presented

to the fiduciary pursuant to chapter twenty-five of Title 3 of the Revised Statutes.

3. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 182

AN ACT concerning chief medical examiners, coroners and county morgue keepers in counties of the second class in this State, defining their powers and duties, and regulating the keeping and use of their records.

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

C. 40:21-30.1. Appointment chief medical examiner.

1. Chief medical examiner; appointment; term; vacancies. The board of chosen freeholders of any county of the second class may by resolution create the office of county chief medical examiner. Upon the adoption of the resolution the county physician then holding office shall be known as the chief medical examiner of the county, and shall continue to hold office as chief medical examiner for five years from the adoption of the resolution. At the expiration of his term of office, or if a vacancy occurs during his term through death, resignation or otherwise, his successor shall be appointed by the board of chosen freeholders for five years.

C. 40:21-30.2. Qualifications.

2. Qualifications; oath. The board of chosen freeholders shall select as such chief medical examiner a licensed doctor of medicine, resident in the county, of recognized ability and good standing in his community. Before entering upon the duties of his office he shall take and subscribe an oath before the county clerk that he will faithfully and impartially perform the duties of his office to the best of his skill and understanding. His oath shall be filed in the office of the county clerk.

C. 40:21-30.3. Assistant medical examiners.

3. Assistant medical examiners; qualifications and duties. The board of chosen freeholders may appoint and prescribe the duties of such assistant medical examiners as shall be necessary for the proper performance of the duties of the office.

Qualifications.

The assistant medical examiners shall possess qualifications similar to those required of the chief medical examiner, and shall be under his direction and supervision.

Vacancy in office of chief medical examiner.

If the office of chief medical examiner shall become vacant, the first assistant medical examiner shall act as chief medical examiner until that office is filled by appointment by the board of chosen freeholders. During the absence or disability of the chief medical examiner his first assistant shall serve in his place.

C. 40:21-30.4. Clerks.

4. Clerks, toxicologist and scientific experts; appointment. The board may appoint such clerical assistants or other personnel required for the proper performance of the duties of the office, as the board shall deem necessary.

The board may appoint or employ a toxicologist or such scientific experts as it deems necessary.

C. 40:21-30.5. Compensation.

5. Compensation of chief medical examiner and staff; quarters and equipment. The board of chosen freeholders shall fix the compensation to be paid to the chief medical examiner, assistant medical examiners, toxicologist, scientific experts, clerical assistants and other personnel, and the funds necessary in the judgment of such board to pay for such services shall be included in the annual budget of the county. The chief medical examiner shall annually, before December first, submit a statement of budget requirements for the administration of his office for the ensuing fiscal year. The board of chosen freeholders shall in its discretion, upon request of the chief medical examiner, provide suitable quarters and equipment necessary for the proper performance of the duties of his office.

C. 40:21-30.6. Duties.

6. Duties of chief and assistant medical examiners. The chief medical examiner or an assistant medical examiner shall be on call at all times for the performance of his duties.

When, in the county, any person shall die as a result of violence, or by casualty or suicide, or suddenly when in apparent health, or when unattended by a physician, or within twenty-four hours after admission to a hospital or institution, or in prison, or in a suspicious or unusual manner, or under any of the above circumstances in any institution located in the county, maintained in whole or in part at the expense of the State or county, the police department of the municipality in which he died, or the superintendent or medical director of the institution in which he died, or the physician called in attendance, shall immediately notify the office of the chief medical examiner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of such notification the chief medical examiner, or an assistant medical examiner, shall fully investigate the essential facts concerning the death. If necessary, he shall go to the dead body and take charge thereof.

Examiner fully investigate death.

The examiner shall fully investigate the death, taking the names and addresses of as many witnesses thereof as it may be practicable to obtain, and before leaving the premises shall reduce all such facts to writing. He shall file his report in the office of the chief medical examiner.

C. 40:21-30.7. Preservation of deceased's property.

7. Preservation of deceased's property; inventory; articles held as evidence. The chief medical examiner, or the assistant medical examiner investigating the case, shall, in the absence of next of kin of the deceased person, take possession of all property of value of the deceased, making an exact inventory thereof on his report, and deliver such property to the office of the chief medical examiner, who shall surrender the same to the person entitled to its custody or possession.

The examiner shall take possession of any objects or articles which, in his opinion, may be useful in establishing the cause of death, and deliver them to the police department or prosecutor's office investigating the death.

C. 40:21-30.8. Report cause of death.

8. Report of cause of death; filing, autopsy; detailed description filed. If the cause of the death shall, by examination, be established to the satisfaction of the medical examiner in charge, he shall file a report thereof in the office of the chief medical examiner. If in the opinion of such medical examiner an autopsy is necessary it shall be performed by the chief or an assistant medical examiner.

Autopsy.

Report.

A detailed description of the findings written during the progress of the autopsy and the conclusions drawn therefrom shall be filed in the office of the chief medical examiner.

C. 40:21-30.9. Records.

9. Records; copies furnished prosecutor; property of county. The chief medical examiner shall keep full and complete records, which shall be kept in his office, properly indexed, stating the name, if known, of every such person, the place where the body was found, date of death, cause, and all other available information. The original report of the chief or assistant medical examiner and the detailed findings of the autopsy, if any, shall be attached to the record of each case.

The chief medical examiner shall promptly deliver to the prosecutor of the county copies of all records relating to every death in which, in the judgment of the chief medical examiner, further investigation may be deemed advisable. The prosecutor may obtain from the office of the chief medical examiner copies of records, and such other information as he may deem necessary.

All records of the office of chief medical examiner shall be the property of the board of freeholders.

C. 40:21-30.10. Transcripts as evidence.

10. Records or transcripts as evidence. The records of the office of the chief medical examiner made by him or by anyone under his direction or supervision shall be considered public records, and the records or transcripts thereof certified by the chief medical examiner shall be received in any court in this State as evidence of the matters and facts therein contained.

The records which shall be admissible as evidence under this section shall be records of the results of views and examinations of or autopsies upon the bodies of deceased persons by the chief medical examiner or by anyone acting under his direction, supervision or control, and shall not include statements made by witnesses or other persons. Records admissible as evidence.

11. Disinterment of bodies upon court order. In any county having a chief medical examiner, a justice of the Supreme Court or judge of the court of common pleas may, upon application and without notice, order the disinterment of any body under the direction and supervision of the chief medical examiner, and authorize the removal by the chief medical examiner of the body to the public morgue for the purpose of examination or autopsy. C. 40:21-30.11. Disinterment of bodies.

12. Burial of unknown or unclaimed persons; cost of burial. The chief or assistant medical examiner, upon taking charge of the remains of any unknown or unclaimed person, shall arrange for his burial. If such person shall have died leaving no estate, the cost of the burial shall be paid by the county as provided by law, and if such person shall leave sufficient estate to pay for the burial, the cost thereof, certified by the chief medical examiner, shall be paid out of the estate. C. 40:21-30.12. Burial of unknown or unclaimed person.

13. Property of deceased delivered to county treasurer; disposition. The chief medical examiner shall take charge of all of the money, clothing and other valuable personal effects of the deceased found in connection with or pertaining to the body, and after using such of the clothing as may be necessary in the burial of the body, shall make a verified inventory of such effects. He shall deliver the inventory and the effects to the county treasurer within one month after the burial of the body. C. 40:21-30.13. Property of deceased.

The county treasurer may, at his discretion, sell the effects at public sale to the highest bidder on such notice as is required by law in case of sale of County treasurer may sell.

personal property by a constable under execution, or may, in the case of an unclaimed identified person, apply for administration of the estate as provided by law.

Proceeds of sale held for one year.

The county treasurer, after holding the proceeds of the sale for one year, shall, if not claimed within that time by the next of kin, dispose thereof as the board of chosen freeholders may direct for the benefit of the county.

C. 40:21-30.14. Power to administer oaths.

14. Power to administer oaths and affidavits. The chief medical examiner and all assistant medical examiners may administer oaths and take affidavits, proofs and examinations as to any matter within the jurisdiction of his office.

C. 40:21-30.15. Citizens to report certain deaths.

15. Citizens to report certain deaths; misdemeanor. A citizen who may become aware of any person who shall have died of criminal violence, or by casualty or suicide, or in any suspicious or unusual manner, shall report such death to the office of the chief medical examiner, or to the police department of the municipality in which such person died.

A person who shall willfully neglect or refuse to report such death, or who, without an order from the office of the chief medical examiner, shall willfully touch, remove, or disturb the body of any such person, or touch, remove, or disturb the clothing or any article upon or near such body, shall be guilty of a misdemeanor.

Guilty of misdemeanor.

C. 40:21-30.16. Coroner's powers vested in chief medical examiner.

16. Coroner's powers vested in chief medical examiner; jury of inquisition unnecessary. All the duties and powers vested in or conferred upon coroners in connection with the death of any unknown or unclaimed person who shall have died in any county in which there shall be a chief medical examiner, or in connection with the death of any person in such county by violence, or by casualty or suicide, or suddenly when in apparent health, or when unattended by physician, or within twenty-four hours after admission to any hospital or institution, or in prison, or in any suspicious or unusual manner, or under any of the above cir-

cumstances in any institution located in such county maintained in whole or in part at the expense of the State or county, shall be vested in and conferred upon the chief medical examiner, where such office has or shall have been established, but the chief medical examiner shall not be required to summon a jury of inquisition.

C. 40:21-30.17. Appointment of morgue and morgue keepers.

17. Morgues and morgue keepers; designation and appointment. The board of chosen freeholders may designate not more than five places of proper character furnished with sufficient accommodation and appliances as a county public morgue or morgues and may appoint a keeper or keepers thereof for a term of five years from the date of their appointment.

Chief medical examiner supervision over morgue and morgue keepers.

The chief medical examiner shall have supervision over such morgue and morgue keepers. The board may remove such morgue keepers and appoint, as provided herein, morgue keepers in their stead.

Terms of office.

The terms of office of morgue keepers serving in any county of the second class not having a chief medical examiner, shall expire upon the appointment of a chief medical examiner therein.

C. 40:21-30.18. Duties.

18. Duties of morgue keepers; burial certificates for unclaimed dead. The morgue keepers shall be required to furnish suitable room or rooms for the holding of all examinations should they be deemed necessary, and take in charge and make such disposal of the bodies of deceased persons as the chief medical examiner shall direct.

Fees and expenses.

The fees and expenses of the morgue keepers for the recovery, care and burial of bodies of such deceased persons shall be fixed by the board of chosen freeholders on the recommendation of the chief medical examiner and paid by the county treasurer.

Burial certificates.

The chief or assistant medical examiner shall grant exclusively to the morgue keepers burial certificates for the unknown or unclaimed dead.

Expense of burial.

The expense of such burial shall be a charge upon the county and the amount thereof shall be

fixed by the board of chosen freeholders on the recommendation of the chief medical examiner.

C. 40:21-30.19. Identified body delivered to relatives.

19. Identified body delivered to relatives; morgue keepers' records. If any unknown or unclaimed dead body shall be identified after being placed in the morgue, the morgue keeper shall upon order of the chief medical examiner, deliver it to the relative or friend making a demand therefor, who shall make known the name and last residence of the deceased and sign a written receipt for the body in the book to be kept by the morgue keeper for that purpose. The morgue keepers shall keep a correct record of all bodies deposited in the morgue.

20. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 183

AN ACT concerning procedure in district courts, and amending section 2:32–268 of the Revised Statutes.

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

Section amended.

1. Section 2:32–268 of the Revised Statutes is amended to read as follows:

Service of notices.

2:32–268. Where, for any reason, service of any of the notices required by section 2:32–265 of this Title, or a summons issued under section 2:32–267 of this Title and the affidavit mentioned in section 2:32–267 of this Title, cannot be served as provided in said sections 2:32–265 and 2:32–267, such notices or summons and affidavits may be served upon any person actually occupying the premises, either personally or by leaving same with a member of his family above the age of fourteen years, or if there is no person actually occupying the premises, the

officer or other person may post or affix a copy of the same upon the door or other conspicuous part of such premises, which posting shall be deemed to be a lawful service.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 184

AN ACT concerning procedure in district courts, and amending section 2:32–267 of the Revised Statutes.

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

Section amended.

1. Section 2:32–267 of the Revised Statutes is amended to read as follows:

Clerk shall issue summons in filing affidavit.

2:32–267. On filing the affidavit mentioned in section 2:32–266 of this Title, the clerk shall issue a summons, describing the premises, in respect of which such proceeding is had, and requiring such tenant or any person in or claiming possession thereof, forthwith to remove from or surrender the same, or to show cause before the court, at a certain place and time to be therein specified, not less than five nor more than fifteen days from the date of the summons, why possession of such premises should not be delivered to the claimant. The aforesaid affidavit shall be annexed to the summons and returned therewith; and a copy of the affidavit shall be served with the summons. The summons shall be served in the same manner as other writs of summons issued out of such court. Either party may demand and have a trial by jury of twelve persons.

Service of summons may demand jury trial.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 185

AN ACT concerning the Teachers' Pension and Annuity Fund, and amending sections 18:13–39 and 18:13–41 of the Revised Statutes.

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

Section amended.

1. Section 18:13–39 of the Revised Statutes is amended to read as follows:

Application for membership.

18:13–39. Application for membership under classes "B," "C," "D" and "E," and the certificate of enrollment in case of class "A" member, shall be in such form and contain such information as the board of trustees shall designate. The application for membership under classes "C," "D" and "E" shall also contain a waiver of all rights and privileges as a member or prospective beneficiary of the teachers' retirement fund.

Application for membership.

The board of trustees shall file one copy of the application for membership or certificate of enrollment in the retirement system as a permanent record in its office, and one copy with the employer of the applicant, which shall constitute a notice to such employer to deduct the percentage of salary as defined by this article.

May become member in accordance with rules.

Any teacher who did not elect to become a member while eligible to membership under the provisions as to class "B," "C," "D" or "E," and who is not eligible to membership under the provisions as to class "A," may become a member thereafter upon application in accordance with the rules and regulations of the board of trustees, but with a limited allowance for prior service as provided in this article for new-entrants.

Certificate of membership.

When the board of trustees records the application for membership or certificate of enrollment for a member, it shall also send to that member a certificate over the seal of the board reciting that

the named person is a member of the fund, giving the number under which the membership is recorded, the per centum of salary which has been certified for that member to the employer, and the amount to be deducted as a monthly contribution as provided in section 18:13–75. There shall also be sent to each member a brief statement of the contribution and benefit provisions of the pension fund law.

Section amended.

2. Section 18:13–41 of the Revised Statutes is amended to read as follows:

Membership shall cease.

18:13–41. The membership of any person in the retirement system shall cease:

Absent without pay.

a. If he shall be continuously absent without pay for a period of more than two years;

Under less than two years of school service.

b. If in any five-year period after he last becomes a member he shall render less than two years of school service;

Upon withdrawal of accumulated deductions.

c. Upon the withdrawal by a contributor of his accumulated deductions as provided in this article;

Upon retirement.

d. Upon retirement on a pension; or

Death.

e. At death;

But not otherwise except as provided in this article.

Notice of expiration of inactive membership.

The board of trustees shall send written notice to the last known address and to the last employer of a member between sixty and fifty days in advance of the date on which his inactive membership shall expire as provided in paragraphs "a" and "b" of this section.

3. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 186

AN ACT concerning procedure in district courts, and amending section 2:32–90 of the Revised Statutes.

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

Section amended.

1. Section 2:32–90 of the Revised Statutes is amended to read as follows:

Clerk may enter rule for judgment by default.

2:32–90. When the action is on contract and defendant does not appear as provided by section 2:32–89 of this Title, the clerk may, on application made at any time within two years after the return or adjourned day and accompanied by affidavits establishing plaintiff's claim or demand in the manner and to the extent required by sections 2:32–115 to 2:32–119 of this Title, enter in the minutes of the court a rule for judgment by default, which shall have the force and effect of a judgment rendered by the court.

Application for judgment to be made within two years.

In the event the aforesaid application for entry of a rule for judgment by default is not made within two years after the return or adjourned day, the cause shall be considered discontinued.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 187

AN ACT to amend "An act concerning the renewal of alcoholic beverage licenses, and supplementing chapter one of Title 33 of the Revised Statutes," approved August second, one thousand nine hundred and thirty-nine (P. L. 1939, c. 281).

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

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

1. Any license for a new license term, which is issued to replace a license which expired on the last day of the license term which immediately preceded the commencement of said new license term or which is issued to replace a license which will expire on the last day of the license term which immediately precedes the commencement of said new license term shall be deemed to be a renewal of the expired or expiring license; *provided,* that said license is of the same class and type as the expired or expiring license, covers the same licensed premises, is issued to the holder of the expired or expiring license and is issued pursuant to an application therefor which shall have been filed with the proper issuing authority prior to the commencement of said new license term or not later than thirty days after the commencement thereof. Licenses issued otherwise than as above herein provided shall be deemed to be new licenses. C. 33:1-96. License for a new license term. Proviso.

2. This act shall take effect immediately.

Approved April 20, 1944.

CHAPTER 188

AN ACT concerning fees and costs in certain cases.

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

C. 22:2-38.1. If estate does not exceed one thousand dollars.

1. Whenever it shall appear by affidavit of persons applying for letters testamentary, of administration or of guardianship that the estate, real and personal, of any testator, intestate, minor or ward, does not exceed one thousand dollars ($1,000.00), and that such testator or intestate died while in the active military or naval service of the United States in time of war, or that such minor or ward is the child of a person who died while in the active military or naval service of the United States in time of war, no fees shall be charged upon proceedings for the probate of a will in those cases, where any part of the estate of the testator is bequeathed or devised to the surviving spouse, the father or mother, the brothers or sisters of any of the lineal descendants of the testator, granting of administration or guardianship up to and including the letters issued and copies of such letters; but if it shall afterwards appear in any case that the value of the estate, real and personal, exceeds or exceeded one thousand dollars ($1,000.00), then such estate shall be liable for and pay the fees that would have been collected if this act had not been enacted.

No fees.

Liable for fees if estate exceeds one thousand dollars.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 189

AN ACT concerning secretaries of county boards of taxation, and amending sections 54:3–7, 54:3–9 and 54:3–10 of the Revised Statutes.

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

1. Section 54:3–7 of the Revised Statutes is amended to read as follows: Section amended.

54:3–7. Each county board may appoint a secretary, who shall hold office for a term of three years, and, with the approval of the board of chosen freeholders, appoint such other clerical assistants as may be necessary. May appoint secretary. Term.

2. Section 54:3–9 of the Revised Statutes is amended to read as follows: Section amended.

54:3–9. All secretaries hereafter appointed who shall have received two consecutive appointments as such secretary, and all secretaries now in office, shall hold office during good behavior, efficiency and residence in the county where employed, and shall not be removed for political reasons or for any cause other than incapacity, misconduct, nonresidence or disobedience of just rules or regulations established by the county board of taxation. Secretaries to hold office during good behavior.

3. Section 54:3–10 of the Revised Statutes is amended to read as follows: Section amended.

54:3–10. No secretary hereafter appointed who shall have received two consecutive appointments as such secretary, and no secretary now in office shall be removed from office except for just cause, as provided in section 54:3–9 of this Title, and after a written charge or charges of the cause of complaint shall have been preferred against him, signed by the person making the charge, and filed with the president of the county board of taxation, and, after the charge has been publicly examined into by the board, upon such reasonable notice to Secretaries not to be removed except for just cause.

the person charged and in such manner and examination as the rules and regulations of the board may prescribe. Every such secretary against whom a charge for any cause may be preferred hereunder, shall receive a fair trial upon the charge and have every reasonable opportunity to make a defense thereto.

Receive fair trial.

4. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 190

AN ACT concerning the appointment of probation officers in counties other than counties of the first class, having a population of over four hundred thousand inhabitants, and amending section 2:199–5 of the Revised Statutes.

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

Section amended.

1. Section 2:199–5 of the Revised Statutes is amended to read as follows:

Judge may appoint probation officer.

2:199–5. The judge or judges of the court of common pleas in each county, or a majority of them, acting jointly, may appoint a chief probation officer, and, on application of the chief probation officer, such men and women probation officers as may be necessary. All probation officers appointed subsequent to April twenty-second, one thousand nine hundred and twenty-nine, who are to receive salaries shall be appointed in accordance with the rules and regulations of the Civil Service Commission. Orders of appointment shall be in writing and be filed in the office of the county clerk.

Appointment to be in writing.

Chief probation officers and probation officers continue to serve.

Chief probation officers and probation officers in Office April twenty-second, one thousand nine hundred and twenty-nine, shall continue to serve in

their respective counties under the provisions of this chapter.

In counties other than counties of the first class.

In counties, other than counties of the first class, having a population of over four hundred thousand, the judges or a judge of the court of common pleas and the judge of the juvenile and domestic relations court, or a majority of them may appoint a chief probation officer for such county, and on application of the chief probation officer, such men and women probation officers as may be necessary.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 191

AN ACT concerning veterans, and amending section 43:4–2 of the Revised Statutes.

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

Section amended.

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

Retirement of certain persons

43:4–2. When an honorably discharged soldier, sailor or marine has or shall have been for twenty years continuously or in the aggregate in office, position or employment of this State or of a county, municipality or school district or board of education, except in the case of teachers in the public schools, the body, board or officer having power to appoint his successor in case of vacancy may, with his assent, order his retirement from such service, or he shall be retired on his own request.

Pension paid to widow in certain cases.

When an honorably discharged soldier, sailor or marine having forty years of continuous service in office, position or employment in this State shall, while serving in the present war between the United States and Germany and Japan, lose his life

in the performance of his duties, there shall be paid to his widow, during the term of her natural life, or so long as she remains a widow, a pension to which such veteran would have been entitled had he retired under the provisions hereof. This act shall be retroactive to include such veterans who lost their lives in the performance of duty within one year prior to the passage hereof. Such pension shall be calculated and paid in the manner provided by section 43:4–3 of the Revised Statutes. There shall be deducted from such pension payments any pension payment to such widow or may be available to her from the United States Government on account of the services of such veteran or because of the loss of his life in the performance of such duty.

Deductions made in certain cases.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 192

AN ACT making appropriations for general construction purposes, to relieve overcrowding in certain State institutions.

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

Appropriation for construction of new buildings.

1. There is hereby appropriated from the General State Fund the sum of four hundred thousand dollars ($400,000.00) or so much thereof as may be necessary, for the purpose of construction of new buildings for the housing of patients, and such utilities as may be necessary to relieve overcrowding at the following institutions: New Jersey Colony for Feeble-minded Males, Woodbine; Vineland State School; Village for Epileptics at Skillman; New Jersey State Hospital, Marlboro; New

Jersey State Hospital, Greystone Park; and the New Jersey Reformatory for Women, Clinton.

Institution construction fund.

2. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to set up and maintain the aforementioned appropriation in the "Institution Construction Fund" established heretofore pursuant to the statutes of this State, and subject to the requisition of the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, and as allocated by the State Board of Control of Institutions and Agencies.

Federal aid.

3. The State Board of Control of Institutions and Agencies is hereby empowered to enter into negotiations with the Federal Government for the purpose of securing any available financial grants, and the State Treasurer is empowered to receive any such grants and thereafter cause them to be established and maintained in the aforementioned "Institution Construction Fund" for the requisition of the Department of Institutions and Agencies for the purpose of carrying out the provisions of this act.

Comptroller authorized to make correction in title.

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

5. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 193

AN ACT concerning the State Employees' Retirement System, and amending section 43:14–32 of the Revised Statutes.

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

Section amended.

1. Section 43:14–32 of the Revised Statutes is amended to read as follows:

Medical examination.

43:14–32. Once each year the board of trustees may, and upon his application shall, require any disability beneficiary who is under the age of sixty years to undergo medical examination by a physician or physicians designated by the board. The examination shall be made at the residence of the beneficiary or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the board that the disability beneficiary is not totally incapacitated either physically or mentally for the performance of duty and that he is engaged in or is able to engage in a gainful occupation, and if the board concurs in the report, then the amount of his pension shall be reduced to an amount which, when added to the amount then earnable by him, shall not exceed the amount of his final compensation. If subsequent medical examination of such a beneficiary shows that his earning capacity has changed since the date of his last examination, then the amount of his pension may be further altered; but the new pension shall not exceed the amount of pension originally granted or an amount which, when added to the amount earnable by the beneficiary shall not exceed the amount of his final compensation.

Report of physician.

Reduction of pension.

Pension may be altered.

Pension discontinued if disability beneficiary refuses to submit to examination.

If a disability beneficiary, while under age of sixty years, refuses to submit to at least one medical examination in any year by a physician or physicians designated by the board, his pension shall

be discontinued until withdrawal of his refusal, and if his refusal continues for one year, all his rights in and to the pension shall be forfeited.

May be restored to active service.

Upon application to the head of the department in which he was employed at the time of his retirement, any beneficiary, while under the age of sixty years, may, in the discretion of the head of the department, be restored to active service as an employee. No disability beneficiary entering the employ of the State shall be compelled or permitted to become a member of the State Employees' Retirement System, or to receive any benefits other than those previously awarded to him, as long as his annual rate of compensation is less than his final compensation at the time of his retirement. Any beneficiary under the age of sixty years in active service as an employee on the first day of January, one thousand nine hundred and forty-four, at an annual rate of compensation equal to or greater than his final compensation at the time of his retirement, or thereafter restored to active service at an annual rate of compensation equal to or greater than such final compensation, and any beneficiary under the age of sixty years restored to active service as an employee whose annual rate of compensation is increased at any time after the first day of January, one thousand nine hundred and forty-four, to a rate equal to or greater than his final compensation at the time of his retirement, shall thereupon again become a member of the retirement system. His retirement allowance shall be canceled, and, notwithstanding anything in this chapter to the contrary, his annuity reserve shall be transferred from the annuity reserve fund to his individual account in the annuity savings fund. Deductions shall be made from his compensation at the rate applicable to him prior to his retirement. Any prior service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and he shall be credited with all service as a member standing to his credit at the time of his

Disability beneficiary not to become a member of employees' retirement system.

Deductions.

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retirement; except that such a beneficiary again becoming a member after having attained the age of fifty years shall receive a pension on subsequent retirement based on all his service as a member since his last return to membership, and in addition he shall receive a pension equal to the pension on which he was retired at the time of his last retirement, but the total pension upon subsequent retirement shall not be a greater proportion of his final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

Credited with service as a member.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 194

AN ACT concerning aid to dependent children and their mothers, and amending sections 30:5–7, 30:5–33, 30:5–37 and 30:5–44 of the Revised Statutes.

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

Section amended.

1. Section 30:5–7 of the Revised Statutes is amended to read as follows:

Amount chargeable to county.

30:5–7. For assistance granted under this chapter on behalf of any child who has resided in or as to whom residence for a period of one year has been established in some one county, such county shall be chargeable as follows: Where the child is living with its father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their own home, one-quarter of the cost of such assistance, and in all other cases, one-

half the cost of such assistance. If, however, Federal aid should not be made available to the State of New Jersey or if, after being made available, it should be withdrawn, then the county's share shall be one-half in all cases. Such payments shall be made monthly in advance by the treasurer of the county to the treasurer of the State Board of Children's Guardians on the basis of commitments for such county upon bills furnished by the State Board of Children's Guardians.

County's share one-half of Federal aid not available.

The State Board of Children's Guardians shall annually fix and determine and report to the board of chosen freeholders of each county a sum sufficient to pay the estimated amount of the county's proportionate share so required. Each board of chosen freeholders shall appropriate and make available such amount to the order of the State Board of Children's Guardians. Should the amount so appropriated, however, be expended or exhausted during the year and for the purpose for which it was appropriated, additional sums shall be appropriated by such board of chosen freeholders as occasion demands to carry out the provisions of this chapter, from funds in the county treasury available therefor. Where such county funds are not available or adequate, or should there be no such county funds, such additional sums shall be raised by temporary loans or notes, certificates of indebtedness or temporary loan bonds, to be issued as otherwise provided and limited by law for counties of this State, and the amounts necessary to pay such obligations shall be placed in the budget for the next ensuing fiscal year.

State board annually report to board of chosen freeholders.

Additional sums appropriated.

2. Section 30:5–33 of the Revised Statutes is amended to read as follows:

Section amended.

30:5–33. Any mother of a dependent child under the age of sixteen years, or under the age of eighteen years and regularly attending school, may, if there are no relatives of such mother or child who are legally liable and financially able to support such mother or child, file a petition of assistance to the State Board of Children's Guardians in the following cases:

Mother may file petition for assistance.

Unable to support child.

a. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being deceased; or

Father confined in jail.

b. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being confined in a jail, prison or penitentiary being sentenced for a term that will extend for six months after the date of decision on the petition; or

Insufficient means to support child.

c. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being under indictment for desertion of his wife and child or either; or

Father an inmate of institution.

d. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being an inmate of an institution for mental or physical illness requiring a prolonged treatment; or

Father physically or mentally ill.

e. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child being physically or mentally ill and being unable to support his child or children, who are dependent, and being under proper and reasonable treatment for the possible removal of such defect; or

Father deported as an alien.

f. Any such mother who has insufficient means and is unable to support such child and maintain her home, the father of such child having been deported as an alien pursuant to the laws of the United States; or

Physical or mental incapacity of parent.

g. Any such mother who has insufficient means and is unable to support such child and maintain her home, the child having been deprived of parental support by reason of physical or mental incapacity of a parent or continued absence of a parent from the home.

Section amended.

3. Section 30:5–37 of the Revised Statutes is amended to read as follows:

File report with county welfare board.

30:5–37. Prior to the date of hearing, the State Board of Children's Guardians shall file a report

of its findings with the county welfare board and the board of chosen freeholders or its designated representative setting forth in full the results of such examination and investigation as provided for under section 30:5–35 of this Title including the family budget and a recommendation as to what is the lowest amount based on such budget that is necessary to provide for the support and care of such child and children and upon such report being made and filed with the welfare board, thereafter upon the day fixed for the hearing, the welfare board shall examine under oath all parties in interest who desire to be heard. The welfare board may in its discretion issue subpœnas for the attendance of witnesses and adjourn the hearing from day to day, not to exceed ninety days.

Examine parties.

The hearing provided for in this section may be dispensed with by mutual agreement between the welfare board of the county and the State Board of Children's Guardians. In such case, the welfare board shall proceed to a consideration of the report of the State Board of Children's Guardians, as provided for in section 30:5–35 of this Title and shall make such order as shall be consistent with the facts and circumstances in each individual case.

Hearing may be dispensed with.

Upon consideration of such report or conclusion of such hearing, the director of the welfare board, on good cause shown, shall be empowered to issue an order granting assistance to any applicant in any such case where the emergencies surrounding the application require immediate assistance. Such order shall continue in full force and effect until the next regular meeting of the welfare board, at which time the said welfare board shall review the order and may revoke or amend said order consistent with the facts and circumstances in each individual case, but in no instance shall such revocation or amendment be retroactive in its scope.

May grant assistance on report.

Welfare board to review order.

Section amended.

4. Section 30:5–44 of the Revised Statutes is amended to read as follows:

If mother fails to properly care for child.

30:5–44. Whenever the State Board of Children's Guardians shall find that any mother or any woman standing in loco parentis to whom relief has been granted under the provisions of this chapter is not properly caring for, educating and supporting the child or is misusing the allowance granted for the child, or whenever it shall find in a case that the father of the child fails to comply with the directions of the attending physician or he fails to continue treatment for the removal of his physical or mental defect, such State board shall make a full report setting forth the facts in the matter and file the same with the welfare board and the board of chosen freeholders. The welfare board shall fix a day for a hearing, the State Board of Children's Guardians shall notify the petitioner to appear, and the welfare board shall revoke, amend or continue the order of allowance, as the circumstances warrant.

Allowance may be reduced.

The State Board of Children's Guardians shall, whenever it shall appear that there is additional income coming into the home, make a new examination of the mother's finances and determine to what amount the allowance granted may be reduced and notify the welfare board and the board of chosen freeholders of the new amount so determined; or if it appears upon examination that there is sufficient increase in the income in the home to care for the child, the Board of Children's Guardians shall reduce or suspend any further payments to the mother and notify the mother, the welfare board and the board of chosen freeholders.

Notice by welfare board.

The welfare board shall thereupon notify the mother and the State Board of Children's Guardians to appear before it at a certain time and if at said hearing the welfare board is satisfied that there is an increase in the income of the family it shall approve the reduction in the amount of the relief. Any such revocation or reduction of the order granting the allowance may become effective

as of the date of the discovery by the State Board of Children's Guardians of the facts and circumstances requiring such revocation or reduction.

Sufficient in home to support child. Child shall be discharged.

Whenever the State Board of Children's Guardians finds that the father has recovered from his illness, or that the father has been discharged from prison, or that the child has lost State residence, or that there is sufficient income in the home to support and care for the child, the child shall be discharged from care and supervision by the State Board of Children's Guardians, which shall duly notify the welfare board that such discharge has been effected. Such discharge may become effective as of the date that the State Board of Children's Guardians is informed of the recovery of the father from his illness, or his discharge from prison.

Effective date of discharge.

Hearing may be dispensed with.

The hearing provided for in this section may be dispensed with upon mutual agreement between the welfare board of the county and the State Board of Children's Guardians. In such case, the welfare board shall receive and consider the report of the State Board of Children's Guardians and in proper cases may revoke, amend or continue the order of allowance as the circumstances warrant.

5. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 195

AN ACT concerning the desertion or nonsupport of wife or children, providing penalties therefor, and amending section 2:121–2 of the Revised Statutes.

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

Section amended.

1. Section 2:121–2 of the Revised Statutes is amended to read as follows:

Refuse to support wife.

2:121–2. Any husband who shall desert or willfully neglect or refuse to provide for the support and maintenance of his wife, in destitute or necessitous circumstances, or a parent who shall desert or willfully neglect or refuse to provide for the support and maintenance of his or her minor child or children, in destitute or necessitous circumstances, shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars ($500.00) or imprisonment with or without hard labor, as the court may direct, for a term not exceeding three years, or both. If a fine be imposed, the court may direct the same to be paid in whole or in part to the wife, or to the guardian, custodian or trustee of said minor child or children.

Guilty of misdemeanor.

If fine imposed court may direct same paid to wife or guardian.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 196

AN ACT concerning the welfare of children, providing penalties for violations thereof, and amending sections 9:6–3 and 9:6–4 of the Revised Statutes.

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

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

9:6–3. Any parent, guardian or person having the care, custody or control of any child, who shall abuse, abandon, be cruel to or neglectful of such child, or any person who shall abuse, be cruel to or neglectful of any child shall be deemed to be guilty of a misdemeanor and, upon conviction thereof, shall be fined not exceeding five hundred dollars ($500.00) or by imprisonment with or without hard labor, as the court may direct, for a term not exceeding three years, or both. If a fine be imposed, the court may direct the same to be paid in whole or in part to the wife, or to the guardian, custodian or trustee of such minor child or children; *provided, however,* that whenever in the judgment of the court it shall appear to the best interest of the child to place it in the temporary care or custody of a society or corporation, organized or incorporated under the laws of this State, having as one of its objects the prevention of cruelty to children, and the society or corporation is willing to assume such custody and control, the court may postpone sentence and place the child in the custody of such society or corporation, and may place defendant on probation, either with the county probation officers or an officer of the society or corporation to which the child is ordered, and may order the parent, guardian or person having the custody and control of such child to pay to such society or cor-

Cruel or neglectful. Guilty of misdemeanor.

Proviso.

May place child in custody of society.

poration a certain stated sum for the maintenance of such child. When, however, a child is so placed in the custody of such society or corporation, and defendant fails to make the payments as ordered by the court, the court shall cause the arrest and arraignment before it of such defendant, and shall impose upon him the penalty provided in this section.

Section amended.

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

Complaints.

9:6–4. Complaints for violation of the provisions of this chapter may be made to any justice of the peace or to any police magistrate of any municipality, or to a judge of the court of common pleas or criminal district court in any county, or the judges of the juvenile and domestic relations court in every county of this State, and whenever any person, who shall be charged with any such offense upon oath before any magistrate or by indictment, shall, in writing signed by him and addressed to the prosecutor of the pleas of the county wherein the offense was committed, waive indictment and trial by jury, or trial by jury, as the case may be, and request to be tried immediately before the court of special sessions or the juvenile and domestic relations court of such county, without a jury, the prosecutor of the pleas shall report such fact to the judge of either such court of such county, who, unless he shall think the public interest will be benefited by denying such request, shall with all due and reasonable speed, proceed to hold the session of such court and try the person so charged and determine and adjudge his guilt or innocence, and full power so to do is hereby conferred upon the court of special sessions and the juvenile and domestic relations court. The prosecutor of the pleas, in person or by deputy, shall attend the trial before either court, and, if the accused was charged before a magistrate and no indictment has been found, prefer to the court an accusation in writing, alleging the nature of the offense with which such person is charged and the time and place when and

May be tried immediately.

where the same was committed, to which accusation the person so charged shall plead. If the accused was charged by indictment, the court shall order the indictment filed therein, and the accused shall plead thereto. The proceedings for bringing such person accused before the court for trial, subpœnaing witnesses, his plea and trial, shall be in conformity with law, and like proceedings in the court of quarter sessions. If the person so tried be acquitted by the court, he shall be forthwith discharged. If he shall plead guilty or be convicted, the court shall render and record against him such judgment of imprisonment or fine, or both, as would be lawful if he had pleaded guilty or had been convicted on indictment for a like offense in the court of quarter sessions, or may place him on probation as provided for in section 9:6–3 of this chapter.

Plead to indictment.

3. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 197

AN ACT concerning education of certain orphans, and amending section 38:20–1 of the Revised Statutes.

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

1. Section 38:20–1 of the Revised Statutes is amended to read as follows:

Section amended.

38:20–1. For the purpose of this chapter the term "war orphans" shall mean and include any child between the ages of sixteen and twenty-one years, domiciled in this State at the time of application for the benefits of this chapter first having been made and for a period of at least

War orphans.

twelve months prior to June twenty-seventh, one thousand nine hundred and thirty-three, who is the child of any person who was in the military or naval service of the United States during the World War in active service and was killed in action or died from other cause during the period of the World War, from April sixth, one thousand nine hundred and seventeen, to July second, one thousand nine hundred and twenty-one; and any child between the ages of sixteen and twenty-one years domiciled in this State for at least twelve months prior to the time of application for the benefits of this chapter who is the child of any person who was or shall be in the military or naval service of the United States during the present war and was, or shall be, killed in action, or died, or shall die from other causes during the period of the present war, or subsequent to the present war shall die of disease or disability resulting from such service, and any child between the ages of sixteen and twenty-one years domiciled in this State for at least twelve months prior to the time of application for the benefits of this chapter who is the child of any person who was in the military or naval service of the United States during the World War, in active service, and died or shall have died since July second, one thousand nine hundred and twenty-one, of disease or disability resulting from such service during the World War.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 198

AN ACT relating to courts having criminal jurisdiction and regulating proceedings in criminal cases.

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

C. 2:184-2.1. Accessoryship to crime may be tried in county other than when principal offense was committed.

1. Whenever any murder or other offense shall be committed in one county of this State, and any person or persons shall be accessory in any manner to any such murder or other offense in any other county of this State, such offense of accessoryship shall be inquired of and tried by a jury in either of said counties; and any indictment found against such accessory or accessories and all proceedings had thereon, shall be as good and effectual as if such offense of accessoryship had been committed or perpetrated within the body of the county wherein the principal offense was committed.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 199

AN ACT concerning public lands and buildings in municipalities, and to amend section 40:60–32 of the Revised Statutes.

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

Section amended.

1. Section 40:60–32 of the Revised Statutes is amended to read as follows:

Municipality may vacate public rights in land.

40:60–32. Whenever within any municipality any lands dedicated or devoted, wholly or partially, to public use shall be considered by the governing body of such municipality to be unsuited to or undesirable for such public use, or otherwise useless, burdensome or disadvantageous to the public, the governing body may by ordinance and on such terms as it shall prescribe, with the consent of the owner of the fee, vacate or extinguish the public rights in and to those lands and restore the same to the owner of the fee thereof, freed and discharged from all such public rights therein. The ordinance shall not become operative until approved by a majority of the legal voters of the municipality voting on the proposition at a general election. If such municipality shall be the owner of the fee at the time of the final adoption of the ordinance, such ordinance shall become operative without referendum.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 200

AN ACT to authorize the conveyance of certain State lands situate in the township of North Brunswick, Middlesex county.

WHEREAS, The State of New Jersey is the owner of a tract of land in the township of North Brunswick, Middlesex county, a portion of which and hereinafter particularly described is no longer of any practical value to the State, and which was heretofore acquired for the use of the College of Agriculture and the State Agricultural Experiment Station; therefore, Preamble.

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

1. The State House Commission is hereby authorized to convey, by good and sufficient deed, to E. R. Squibb & Sons, a corporation of the State of New York, for such consideration as the State House Commission shall deem to be fair and adequate, if the State House Commission determines that it is no longer of any practical value to the State, all that certain tract or parcel of land situate, lying and being in the township of North Brunswick, county of Middlesex and State of New Jersey and more particularly described as follows: to wit: State House Commission authorized to convey.

Beginning at a stake in the Southwest corner of lands now or formerly of the Raritan River Railroad Company, in the easterly line of the right-of-way of said railroad, said stake being 33 feet easterly and at right angles to the center line of a track of the Raritan River Railroad Company as now laid out, and from said beginning point running thence (1) along line of land now or formerly of Raritan River Railroad Company north 53 degrees 40 minutes east 322.60 feet to a stake in line of Description.

lands of E. R. Squibb & Sons; thence (2) along line of said lands south 36 degrees 26 minutes east 650.76 feet to a stake; thence (3) still along line of lands of E. R. Squibb & Sons south 53 degrees 40 minutes west 384.78 feet to the easterly line of lands of Raritan River Railroad Company aforesaid; and thence (4) along line of said lands and 33 feet easterly and at right angles to the center line of the track as now laid out north 30 degrees 58 minutes 30 seconds west 653.60 feet to the point and place of beginning. Containing five and twenty-eight hundredths acres (5.28). The above description being in accordance with a survey made by Herbert R. Fleming, Civil Engineer, dated November, one thousand nine hundred and forty-three.

Proceeds of sale.

2. The proceeds from the sale of said land shall be paid into the treasury of the State.

3. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 201

AN ACT concerning the State Employees' Retirement System of New Jersey, and amending section 43:14–1, section 43:14–17, and section 43:14–29, of the Revised Statutes.

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

Section amended.

1. Section 43:14–1 of the Revised Statutes is amended to read as follows:

43:14–1. As used in this chapter:

Accumulated deductions.

a. "Accumulated deductions" means the sum of all the amounts, deducted from the compensation of a member or contributed by him, standing to the credit of his individual account in the annuity savings fund, together with the interest thereon.

Regular interest shall be computed and allowed on such total or part thereof when used for the purchase from the retirement system of a retirement annuity or for payment of the death benefit under section 43:14–29. When such total or part thereof is used for any other purpose regular interest shall be computed and allowed for any period prior to July first, one thousand nine hundred and forty-four, and one-half of the interest determined at the regular rate shall be allowed for any period on and after such date. Regular interest.

b. "Annuity" means payments for life derived from contributions made by a member as provided in this chapter. Annuity.

c. "Annuity reserve" means the present value of all payments to be made on account of any annuity or benefit in lieu of an annuity, granted under the provisions of this chapter, computed on the basis of such mortality tables as the board of trustees adopts, with regular interest. Annuity reserve.

d. "Beneficiary" means any person receiving a retirement allowance or other benefit as provided in this chapter. Beneficiary.

e. "Final compensation" means the average annual compensation, not exceeding seven thousand two hundred dollars ($7,200.00) per annum, earnable by a member for the five years immediately preceding his retirement. Final compensation.

f. "Fiscal year" means any year commencing with July first and ending with June thirtieth next following. Fiscal year.

g. "Pension" means payments for life derived from appropriations made by the State as provided in this chapter, or by any participating county or municipality as provided in chapter fifteen of Title 43 of the Revised Statutes. Pension.

h. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension, granted under the provisions of this chapter or chapter fifteen of Title 43 of the Revised Statutes, computed on the Pension reserve.

basis of such mortality tables as the board of trustees adopts, with regular interest.

Regular interest.

i. "Regular interest" means interest at four per centum (4%) per annum, compounded annually.

Retirement allowance.

j. "Retirement allowance" means the pension plus the annuity.

State employees' retirement system of New Jersey.

k. "State Employees' Retirement System of New Jersey," hereinafter referred to as the "retirement system," is the corporate name of the arrangement for the payment of retirement allowances and other benefits under the provisions of this chapter and for the system including the several funds created and placed under the management of the board of trustees. By that name all of its business shall be transacted, its funds invested, warrants for money drawn and payments made and all of its cash and securities and other property held.

Section amended.

2. Section 43:14–17 of the Revised Statutes is amended to read as follows:

May redeposit in the annuity savings fund.

43:14–17. In addition to the deductions from compensation herein provided, any member may redeposit in the annuity savings fund by a single payment an amount equal to the total amount which he may have previously withdrawn therefrom, as provided in this chapter, or he may deposit therein by a single payment an amount computed to be sufficient, together with his prospective retirement allowance otherwise provided, to provide for him a total retirement allowance of one-half of his final compensation at sixty years of age. Any additional amounts so deposited shall become a part of his accumulated deductions.

Deductions withdrawn paid out of annuity savings fund.

The accumulated deductions of a member withdrawn, as provided in this chapter, shall be paid out of the annuity savings fund. In the case of a withdrawal, an amount equivalent to the difference between the amount of the accumulated deductions calculated at regular interest and the amount of the accumulated deductions calculated by use of the interest allowed at withdrawal shall be transferred to the interest account.

3. Section 43:14–29 of the Revised Statutes is amended to read as follows: Section amended.

43:14–29. A member who withdraws from service or ceases to be an employee for any cause other than death or retirement shall receive all, or such part as he demands, of the accumulated deductions standing to the credit of his individual account in the annuity savings fund. He shall cease to be a member two years from the date he discontinued service as an employee, or, if prior thereto, upon the date when payment to him on demand of his accumulated deductions exceeds one-half of the accumulated deductions. The board of trustees may, in its discretion, withhold, for not more than one year after a member ceases to be an employee, all or part of his accumulated deductions, if he previously withdrew from the annuity savings fund all or part of his accumulated deductions and failed to redeposit that amount to the credit of his individual account in the fund. Member who ceases to be employee entitled to accumulated deductions.

If a contributor dies before retirement his accumulated deductions shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the board of trustees. If contributor dies accumulated deductions paid to estate.

4. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 202

AN ACT concerning membership on the State Board of Agriculture, and amending sections 4:1–4, 4:1–5, 4:1–7, 4:1–8, 4:1–9, 4:1–13 and 4:1–15 of the Revised Statutes.

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

Section amended.

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

Board composed of eight members.

4:1–4. The State Board of Agriculture, hereinafter in this chapter referred to as the "board," shall consist of eight citizens of this State. Two members shall be chosen each year for terms of four years beginning on July first following their selection and appointment and until their successors are appointed and qualified.

Qualification of members.

Among the membership of the board there shall be at all times at least one member representing each of the four leading agricultural commodities produced within the State. Only those engaged in the production of farm crops or livestock products in New Jersey shall be eligible for appointment to membership on the board.

Reimbursed for expenses

The members shall serve without compensation but they shall be reimbursed for their actual expenses incurred in attending the meetings of the board and in the performance of their other duties.

Section amended.

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

Delegates to elect two farmers.

4:1–5. At a convention to be held once in each year in the State of New Jersey, delegates chosen as provided in section 4:1–6 of this Title shall assemble and elect, by a majority vote of the delegates present, two farmers to be recommended to the Governor for appointment to the board, with the advice and consent of the Senate, to fill the vacancies caused by the expiration of terms of of-

fice. The delegates to the convention may determine the validity of the selection and qualifications of a delegate, and a majority of all delegates shall constitute a quorum. The board shall determine the time and place for holding each convention, and the president of the board, or in his absence the vice-president, shall serve as the presiding officer at the convention and shall be entitled to vote in case of tie.

Delegates to recommend to department.

The delegates to the convention shall review the problems associated with the agricultural industry of the State in whatever manner they see fit, and through resolutions or other means shall recommend to the Department of Agriculture and to other agencies of the State and nation programs to be followed for the welfare of the agricultural interests of the State.

Section amended.

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

Vacancy in board to be filled for unexpired term.

4:1–7. In the manner provided in section 4:1–5 of this Title, any vacancy in the membership of the board arising from death or resignation, shall be filled, for the unexpired term only, by election of a farmer by the convention for recommendation to the Governor for appointment by him, with the advice and consent of the Senate.

Vacancy may be filled by Governor.

A vacancy arising when the convention is not in session may be filled temporarily by appointment by the Governor on the recommendation of the remaining members of the board. The person so appointed shall serve temporarily until the vacancy is filled in the manner prescribed in this section.

Section amended.

4. Section 4:1–8 of the Revised Statutes is amended to read as follows:

Secretary to certify names.

4:1–8. The Secretary of Agriculture shall certify the names of those elected by the convention to the Governor for appointment, with the advice and consent of the Senate, and for the issuance of commissions for the term for which each has been chosen.

Section amended.

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

Board to elect president.

4:1–9. As soon as may be, following the qualification of members in each year, the board shall organize by electing one of its members as president and one as vice-president, to serve as such until the organization of the board in the following year. The vice-president shall exercise the powers and perform the duties of the president, in his absence.

Section amended.

6. Section 4:1–13 of the Revised Statutes is amended to read as follows:

Appointment of secretary of agriculture.

4:1–13. The board, with the approval of the Governor, shall appoint the Secretary of Agriculture, and in conjunction with him may appoint an assistant Secretary of Agriculture and shall appoint the chiefs of the various bureaus, the inspectors, veterinarians, experts and all other officers, agents and employees of the department, except the clerks and stenographers attached thereto. The board, upon the advice and recommendation of the secretary, shall fix the compensation of all officers and employees subject to the provisions of Title 11, Civil Service, except where otherwise provided by statute.

Compensation of officers.

Section amended.

7. Section 4:1–15 of the Revised Statutes is amended to read as follows:

Salary of secretary.

4:1–15. The Secretary of Agriculture shall be appointed by the board, with the approval of the Governor. He shall receive an annual salary not to exceed ten thousand dollars ($10,000.00). The Secretary of Agriculture shall administer, direct and cause to be performed the functions and duties of the department.

Effective.

8. This act shall take effect January first, one thousand nine hundred and forty-five.

Approved April 21, 1944.

CHAPTER 203

AN ACT concerning certain employment agencies, and amending section 34:8–2 of the Revised Statutes.

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

1. Section 34:8–2 of the Revised Statutes is amended to read as follows: Section amended.

34:8–2. The provisions of this chapter shall not apply to employment agencies which procure employment for persons as teachers or in technical or executive positions exclusively in recognized institutions, or to departments maintained by persons for the purpose of securing help for themselves where no fee is charged the applicant for employment, or to departments maintained by either Federal, State, municipal or charitable agencies where no fee is charged, or to registries conducted by duly incorporated associations of registered nurses, or employment bureaus of registered medical institutions or incorporated hospitals. Not to apply to certain agencies.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 204

AN ACT to amend "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in towns, townships, boroughs and other municipalities except 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 subject to future taxation and assessments," approved May eighteenth, one thousand eight hundred and ninety-eight (P. L. 1898, c. 193).

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

Section amended.

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

Moneys received from sales to be held.

12. All moneys received upon sales, in pursuance of this act, shall be held by the collector of the town, township, borough, or other municipality until the expiration of the time for redemption herein provided for, and thereupon the surplus, if any, remaining in any case, after deducting the amount of taxes, assessments, interest, costs and disbursements due to the town, township, borough or other municipality, shall be paid over by the collector to the clerk of the Circuit Court of the county, subject to the further order of said Circuit Court. All such surplus moneys heretofore paid to the clerk of said Circuit Court pursuant to the act to which this is an amendment, remaining unclaimed for more than thirty years from the date of payment thereof to said clerk, shall, upon application to the said Circuit Court by the municipality in which such lands are situated and upon

Surplus paid to clerk of circuit court.

Moneys unclaimed after thirty years.

order of said Circuit Court, be paid to, and become part of the funds of, said municipality.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 205

AN ACT permitting the city of Trenton, in the county of Mercer, to provide for the payment of a pension to Mary C. Miller.

Preamble. WHEREAS, Mary C. Miller, a resident of the city of Trenton, in the county of Mercer and State of New Jersey, has served the city in the capacity of telephone operator in the division of telegraph, telephone and signal systems in the department of public safety for a period of almost thirty-four years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of her duties; and

Preamble. WHEREAS, The said Mary C. Miller is becoming incapacitated and disabled; and

Preamble. WHEREAS, The city of Trenton does not have in force and effect any pension that would enure to the benefit of the said Mary C. Miller; therefore,

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

Authorized to grant pension. 1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Mary C. Miller, for the remainder of her natural life, a pension to be effective upon the passage of this act, in the sum of seventy-five dollars ($75.00) per month, being one-half of her former monthly salary, which pension shall be paid in monthly installments.

Provide pension in annual budget.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Mary C. Miller of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 206

AN ACT concerning the acquisition, use and disposition by any municipality, of property exempt from local taxation because the owner enjoys the privilege of exemption from local taxation arising out of contract with the State which the Legislature cannot abrogate or repeal without the owner's consent, and of other property, for the purpose of extinguishing such privilege of tax exemption.

Preamble.

WHEREAS, Municipalities in this State are deprived of potential tax ratables consisting of property exempt from local taxation because the owner enjoys the privilege of exemption from local taxation arising out of contract with the State which the Legislature cannot abrogate or repeal without the owner's consent; and

Preamble.

WHEREAS, Those whose property is exempt from local taxation under such a contract are often ready and willing to surrender and extinguish the privilege of immunity from local taxation through a transfer of their property to the municipality affected; and

Preamble.

WHEREAS, It is in the public interest to permit municipalities to effect the surrender and the extinguishment of such privilege of tax exemption, in order that property thus transferred, if not retained for public use, may be placed upon the list of tax ratables; now, therefore,

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

C. 40:60-25.7.

1. The following terms, wherever used or referred to in this act, shall have the following respective meanings, unless a different meaning clearly appears from the context:

Governing body.

(a) "Governing body" shall mean that governmental board or body of a municipality having control or jurisdiction over its financial affairs;

Property exempt from local taxation.

(b) "Property exempt from local taxation" or "tax exempt property" shall mean real or personal, or real and personal, property which is exempt from local taxation because the owner of such property enjoys the privilege of exemption from local taxation arising out of a contract with the State which the Legislature cannot abrogate or repeal without the consent of the owner;

Tax exemption.

(c) "Tax exemption" shall mean exemption from local taxation under such a contract with the State;

Owner.

(d) "Owner" shall mean any person, association, copartnership or corporation owning tax exempt property in fee;

Local taxation.

(e) "Local taxation" shall mean municipal or other local taxation for the direct support of the government of the municipality or for other local purposes.

C. 40:60-25.8. Municipality may purchase property exempt from local taxation.

2. Any municipality in this State may purchase property exempt from local taxation because the owner enjoys the privilege of exemption from local taxation arising out of a contract with the

State which the Legislature cannot abrogate or repeal without the owner's consent, for the purpose of extinguishing in perpetuity, with the owner's consent, the privilege, arising out of such contract with the State, of exemption from local taxation as to the property so acquired and as to any other property then or thereafter owned in the municipality by such owner, successors or assigns.

C. 40:60-25.9. May purchase other property.

3. In order to effect the purchase of the tax exempt property and, with the owner's consent, the extinguishment in perpetuity of the owner's privilege of exemption from local taxation as provided in section one of this act, any municipality purchasing such tax exempt property may also purchase other property of the owner of the tax exempt property whether such other property is located within or without the municipality.

C. 40:60-25.10. Municipality may take property subject to lease.

4. Any municipality purchasing property pursuant to this act, may take such property subject to leases, mortgages, liens, easements, agreements, covenants, servitudes, liabilities or other encumbrances or claims, and may thereafter settle, adjust and discharge any or all of the same upon such terms and conditions as are agreed on by the municipality and other parties in interest.

C. 40:60-25.11. Municipality may issue bonds.

5. For the purpose of financing the acquisition of property pursuant to this act and the settlement, adjustment and discharge of leases, mortgages, liens, easements, agreements, covenants, servitudes, liabilities or other encumbrances or claims, as provided by this act, the municipality may, at one time or from time to time, appropriate money and issue its negotiable bonds, and in anticipation of bonds may issue its negotiable notes, in the manner and mode of procedure provided by the local bond law, constituting sections 40:1–1 to 40:1–88 of the Revised Statutes of the State of New Jersey, except that, if the sum (being not less than five per centum (5%) of the maximum amount of the obligations thereby authorized) which said local bond law requires to be appropriated as a down payment, has not been made available by provision

in a previously adopted budget, the municipal bond ordinance may, nevertheless, be finally passed, but, in that event, shall provide that the said sum shall be financed by the issuance of bond anticipation notes which shall mature and be paid in the next ensuing fiscal year.

C. 40:60-25.12. Power to issue bonds not dependent on power to acquire property.

6. It is the intent of this act that the power to issue bonds and notes under this act and the validity of the bonds and notes so issued shall not be dependent in any manner on the power to acquire property or to settle, adjust and discharge encumbrances or claims thereon, under this act, or be affected by the validity or regularity of the proceedings therefor, or the authorization thereof, for the financing of which such bonds or notes are issued or are to be issued.

C. 40:60-25.13. May sell property not needed for public use.

7. The governing body of such municipality may apply to public use so much of the property acquired by it hereunder as may be needed for public use, and shall sell and dispose of the property not needed for public use as soon as practicable in the manner or mode of procedure provided by law for the sale of property not needed for public use. Pending such sale and disposition, the municipality may lease, repair and maintain any part of said property in such manner as may be necessary for its preservation.

C. 40:60-25.14. May contract for the surrender and extinguishment in perpetuity of privilege of tax exemption.

8. Any municipality purchasing or intending to purchase tax exempt property as provided in this act, may, by the same or a separate instrument, contract with the owner of such tax exempt property for the surrender and extinguishment in perpetuity, with the owner's consent, of the right or privilege of tax exemption, arising out of the contract with the State; and, in that event, on the consummation of the purchase of such tax exempt property by the municipality, all right or privilege of tax exemption under the contract with the State, of the owner, successors or assigns, shall be extinguished and shall cease and determine, in perpetuity.

C. 40:60-25.15. Property used for certain purposes may be required without referendum.

9. As incidental to the purpose for which the tax exempt property is acquired, if any part of the tax exempt property to be acquired by a municipality pursuant to this act is used or is susceptible of use for furnishing a utility service, such as water or electric light or power, for public or private use, such property may be acquired by the municipality, without being subject to referendum or other conditions under any other law.

Any municipality may:

Municipality may operate and use such property to furnish water.

(a) Itself operate and make use of such property and rights, and sell or furnish water, use of water, electric current, power, steam, other services, output, products, or any part thereof, to any public utility company of this State, or to any other person or persons who are or shall be tenants or licensees of the municipality, or are or shall be located in the immediate vicinity of, or within reasonable proximity to, such property so acquired by the municipality; *provided,* nothing herein contained shall require such municipality generally to supply or furnish any of such services as a matter of right to any person or persons, nor to authorize such municipality to operate the same in competition with any existing public utility as the same is defined in Revised Statutes, section 48:2–13, except to the extent aforesaid;

Proviso.

May enter into contracts with public utility company.

(b) Enter into contracts with any such public utility company or any such other person or persons for the use and operation of such rights and property, or any part thereof, or for the sale of said water, use of water, electric current, power, steam, other services, output, products, or any part thereof, to such company or such other person or persons;

Lease or use such rights.

(c) Lease such rights and property, or the use of same, or any part thereof, to any such public utility company or to any such other person or persons;

Sell such rights not needed for public purposes.

(d) Sell so much of such rights and property, or any part thereof, that the municipality may find

or determine at any time are not needed by such municipality for a public purpose;

(e) Exercise in whole or in part any and all of the alternative powers and privileges herein specified with respect to the said property and rights or any part thereof. Exercise privileges.

Any such contract or lease may contain such terms, conditions and reservations as the governing body of the municipality deems proper and in the public interest, and shall run for a period not exceeding fifty years, subject to renewal for a further period of not exceeding fifty years. Such contract or lease may also include a provision for the payment to the municipality annually, or otherwise, during the term of such contract or lease, of a gross amount for the use, occupation and enjoyment of the said rights and property, or the water, use of water, electric current, power, steam, other services, output, products, or any part thereof, included in or covered by such contract or lease. Any such contract or lease shall not be subject to any other law of the State requiring a public referendum or the advertising for bids as a condition precedent to the making of any such contract or lease. Contract may contain terms and conditions.

10. The sections and parts of sections included in this act are hereby declared to be independent sections and parts of sections; if any such section or part of section shall be held invalid, such holding shall not affect the remainder of this act, nor the context in which such part of section so held invalid may appear, excepting to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply. C. 40:60-25.16. Validity.

11. With respect to the subject matter of this act, this act shall supersede any other act or part of act inconsistent with any provision of this act, to the extent of such inconsistency. C. 40:60-25.17. Act to supersede any other act.

12. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 207

AN ACT authorizing any municipality to acquire, use and dispose of real property, real property having appurtenant thereto riparian rights, water rights, water power, water power rights, water power property, as defined in this act; other property desirable or necessary in order to effect the purchase or other acquisition thereof; and to raise funds for such purposes.

Preamble. WHEREAS, A river or stream bordering upon or flowing through a municipality is a natural resource of such municipality, relating to the general welfare, health and safety of its inhabitants and the natural scenery contained within the municipality, and is further related to the establishment and maintenance of parks and parkways, flood and drought control and to other public uses, and to the establishment and maintenance of manufactories and other industries; and

Preamble. WHEREAS, Certain legal difficulties tend to preclude a municipality from preventing diversion and pollution of the waters of such a river or stream and from securing a continued flow of the waters of such a river or stream unless such municipality is not only the owner of riparian lands along such a river or stream but is also using the waters of such a river or stream for commercial purposes, or purposes which support a claim or action for pecuniary damages resulting from the unlawful diversion or pollution of the waters of such river or stream; therefore,

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

1. The following terms, wherever used or referred to in this act, shall have the following respective meanings, unless a different meaning clearly appears from the context: C. 40:69-4.1.

(a) "Governing body" shall mean that governmental board or body of a municipality having control or jurisdiction over its financial affairs; Governing body.

(b) "Water rights" shall mean real property, real property having appurtenant thereto riparian rights, lands along a river or stream, ripa, lands constituting the bed or part of the bed of a river or stream, uplands, lands under water, the waters of any lake, pond or stream, all water and riparian rights or privileges, and all dams, races, sluiceways and machinery connected therewith, and any and all easements and incorporeal hereditaments and every estate, interest and right, in, to or upon any real or personal property used or usable as a means of conserving, regulating, or increasing the flow of a river or stream; Water rights.

(c) "Water power" shall mean power developed within any such municipality from falling or flowing water in or from a river or stream, and all electric current and other forms of energy into which such power may be transformed; Water power.

(d) "Water power rights" shall mean the rights in and to the flow or flowage of the waters of a river or stream, which have a fall and flow which are or can be utilized within any such municipality, for the generation of electric current or other power in commercial quantities, including the right to maintain dams in said river or stream, to overflow lands, to use the waters of such river or stream to generate electric current or other power, to divert water from such river or stream, and Water power rights.

all other rights, privileges, incorporeal hereditaments and easements of, in and to the waters of such river or stream, and to the use of such waters, which are or can be utilized directly or indirectly within any such municipality for the generation of electric current or other power, existing by prescription, long continued user, charter, franchise or as an appurtenance or incident to the ownership of riparian rights or otherwise;

Water power property.

(e) "Water power property" shall mean riparian lands, the improvements thereon, hydro-electric power plants, power plants auxiliary or supplementary to said hydro-electric power plants, dams, waterfalls, water wheels, raceways, canals, pipelines, flumes, sluices, conduits, piping, mains, wire lines, cables, cable lines, wiring, water gates, dikes, gatehouses, controlling gates, screens, racks, spillways, fishways, chutes, barriers, turbines, dynamos, motors, pumps, gauges, meters, condensers, regulators, switches, switchboards, panels, fuse boxes, compressors, boilers, heating and steam-producing systems, electrical systems, generators, controllers, valves, traps, poles, circuit breakers, transmission lines, insulators, transformers, shafting, belting, tanks, rheostats, fixtures, machinery, appliances, repair parts, implements, vehicles, equipment, tools, supplies, records, plans, drawings, schedules, and any other physical or tangible property connected with any of the foregoing, including any easements, rights, privileges and interests appurtenant to the same or the use thereof.

C. 40:69-4.2. Governing body may acquire by purchase real property.

2. Any municipality of this State, when the governing body shall determine that it is in the public interest or necessary or desirable for the acquisition, conservation or preservation of "water rights," "water power," "water power rights," and "water power property" or for the promotion

of the general welfare, health and safety of its inhabitants, or for flood and drought control, the preservation of natural scenery and the construction and maintenance of parks and parkways, may acquire by purchase, gift, devise or bequest real property, real property having appurtenant thereto riparian rights, "water rights," "water power," "water power rights," and "water power property," together with real and personal property relating thereto or in connection therewith, and other property which such municipality shall find it desirable or necessary to include in its acquisition in order to effect the purchase or other acquisition of all or any of the aforementioned property, but not including corporate stocks, bonds or securities. Nothing herein contained shall be deemed to repeal, alter or modify the provisions of section 58:5–27 of the Revised Statutes.

C. 40:69-4.3. Title to vest in municipality.

3. When acquired, the title to and right to the use of such real property, real property having appurtenant thereto riparian rights, "water rights," "water power," "water power rights," and "water power property" shall pass to and vest in the municipality in as full and ample manner as the same were theretofore held and enjoyed by the person or persons owning the same.

C. 40:69-4.4. Purchase of property may be made in terms acquired on.

4. Any such purchase of real property, real property having appurtenant thereto riparian rights, "water rights," "water power," "water power rights" and "water power property," may be made for such sum or sums and upon such terms, covenants and conditions as may be agreed upon, and may be acquired subject to leases, mortgages, liens, encumbrances, covenants, easements, servitudes, agreements, liabilities and other claims, which may be settled, adjusted, performed, complied with, or discharged by the municipality.

C. 40:69-4.5. Municipality may retain so much of property as may be necessary.

5. Such municipality may hold and retain so much of the said property so acquired as may be necessary in the discretion of the governing body of such municipality for the conservation, reservation, increase, regulation, use or enjoyment of such

real property, real property having appurtenant thereto riparian rights, "water rights," "water power," "water power rights" and "water power property," either for the present or the future, and may also hold and retain so much of the property so acquired as may be needed for any other public use or uses, including the promotion of the general welfare, health and safety of the inhabitants of the municipality, and shall sell, lease or otherwise dispose of the property not needed for public use when it may conveniently and advantageously do so, with the right of repair and maintenance of such property pending final disposition of the same, all in accordance with the provisions of law applicable to property of a municipality not needed for public use.

C. 40:69-4.6.

6. Any such municipality may:

May operate and use such property.

(a) Itself operate and make use of such property and rights, and sell or furnish water, use of water, electric current, power, steam, other services, out-put, products, or any part thereof, to any public utility company of this State, or to any other person or persons who are or shall be tenants or licensees of the municipality, or are or shall be located in the immediate vicinity of, or within reasonable proximity to, such property so acquired by the municipality; *provided,* nothing herein contained shall require such municipality generally to supply or furnish any of such services as a matter of right to any person or persons, nor to authorize such municipality to operate the same in competition with any existing public utility as the same is defined in Revised Statutes, section 48:2–13, except to the extent aforesaid;

May enter into contracts with public utility company.

(b) Enter into contracts with any such public utility company or any such other person or persons for the use and operation of such rights and property, or any part thereof, or

for the sale of said water, use of water, electric current, power, steam, other services, out-put, products, or any part thereof, to such company or such other person or persons;

(c) Lease such rights and property, or the use of same, or any part thereof, to any such public utility company or to any such other person or persons; Lease or use such rights.

(d) Sell so much of such rights and property, or any part thereof, that the municipality may find or determine at any time are not needed by such municipality for a public purpose; Sell such rights not needed for public purposes.

(e) Exercise in whole or in part any and all of the alternative powers and privileges herein specified with respect to the said property and rights or any part thereof. Exercise privileges.

Any such contract or lease may contain such terms, conditions and reservations as the governing body of the municipality deems proper and in the public interest, and shall run for a period not exceeding fifty years, subject to renewal for a further period of not exceeding fifty years. Such contract or lease may also include a provision for the payment to the municipality annually, or otherwise, during the term of such contract or lease, of a gross amount for the use, occupation and enjoyment of the said rights and property, or the water, use of water, electric current, power, steam, other services, out-put, products, or any part thereof, included in or covered by such contract or lease. Any such contract or lease shall not be subject to any other law of the State requiring a public referendum or the advertising for bids as a condition precedent to the making of any such contract or lease. Contract may contain terms and conditions.

7. Any municipality having made the acquisition of real property, real property having appurtenant thereto riparian rights, "water rights," "water power," "water power rights" and "water power property," as herein provided, may make full use C. 40:69-4.7. May make full use and enjoyment of property.

and enjoyment of the same and may construct, erect, repair, renovate, replace, maintain and operate the same to the extent authorized in section 6(a); and may also purchase power and electric current from outside sources to supplement the power and electric current produced in its own plant or plants; *provided,* that nothing herein contained shall authorize such municipality to purify water for potable purposes or to sell water for such purposes.

Proviso.

C. 40:69-4.8. Authority exercised by governing body.

8. Any power or authority herein conferred upon any such municipality by virtue of the provisions of this act shall be exercised by its governing body, which may act without the necessity of a public referendum as provided by section 40:62–15 of the Revised Statutes; *provided, however,* that the governing body of such municipality may, by ordinance, turn over the administration or operation of the property or properties acquired hereunder, or any of them, to that department, board or body of the municipality having charge generally of municipal buildings and property, or to any other department, board or body of the municipality adapted, in the judgment of the governing body, for such administration or operation.

Proviso.

C. 40:69-4.9. Not to acquire property by condemnation.

9. Nothing herein contained shall authorize the acquisition by any such municipality of any such property, under the provisions of this act, by condemnation or right of eminent domain.

C. 40:69-4.10. May appropriate money and issue bonds.

10. For the purpose of financing the acquisition of property pursuant to this act and the settlement, adjustment and discharge of leases, mortgages, liens, easements, agreements, covenants, servitudes, liabilities or other encumbrances or claims, as provided by this act, the municipality may, at one time or from time to time, appropriate money and issue its negotiable bonds, and in anticipation of bonds may issue its negotiable notes, in the manner and mode of procedure provided by the local bond law, constituting sections 40:1–1 to 40:1–88 of the Revised Statutes of the State of New Jersey, as amended and supplemented from time to time,

except that, if the sum (being not less than five per centum (5%) of the maximum amount of the obligations thereby authorized) which said local bond law requires to be appropriated as a down payment, has not been made available by provision in a previously adopted budget, the municipal bond ordinance may, nevertheless, be finally passed, but, in that event, shall provide that the said sum shall be financed by the issuance of bond anticipation notes which shall mature and be paid in the next ensuing fiscal year.

C. 40:69-4.11. Power to issue bonds not dependent on power to acquire property.

11. It is the intent of this act that the power to issue bonds and notes under this act and the validity of the bonds and notes so issued shall not be dependent in any manner on the power to acquire property or to settle, adjust and discharge encumbrances or claims thereon, under this act, or be affected by the validity or regularity of the proceedings therefor, or the authorization thereof, for the financing of which such bonds or notes are issued or are to be issued.

C. 40:69-4.12. Validity.

12. The sections and parts of sections included in this act are hereby declared to be independent sections and parts of sections; if any such section or part of section shall be held invalid, such holding shall not affect the remainder of this act, nor the context in which such part of section so held invalid may appear, excepting to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

13. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 208

AN ACT to amend and supplement "An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, in time of war, an opportunity to vote in the general election to be held in this State in the year one thousand nine hundred and forty-four notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes," approved February twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 9).

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

Section amended.

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

C. 19:55-9. Ballot to be issued at said election.

9. Each military service ballot shall conform generally to the ballot to be used at said election in said election district and shall be so prepared that the military service voter may indicate thereon his choice of such of the candidates for the offices to be filled, and as to such public questions to be voted upon, at said election by the voters of the entire State or of the county in which such military service voter's election district is situated, as shall be ascertained and known on August first, one thousand nine hundred and forty-four, and sufficient space shall be provided thereon for such military service voter to write in the name of and vote for any candidate for, or his personal choice for, any public office to be voted for at such election in such election district. A list of the candidates for the offices to be filled in each election district in the county, whose names are known and

List of candidates.

ascertained on August first, one thousand nine hundred and forty-four, but do not appear upon said ballot, with a statement of the office for which each is a candidate, shall be forwarded with such ballot.

Military ballot not to be rejected because it does not contain names of all candidates.

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

C. 19:55-9.1. Name of candidates may be placed on ballot whether or not acceptance filed.

2. In the preparation of military service ballots the name of any candidate who has been nominated for any office prior to August first, one thousand nine hundred and forty-four, may be placed upon the military service ballot to be used in the general election to be held in said year in each election district in which he is a candidate, whether or not such candidate has accepted such nomination prior to said date; *provided,* that he has not prior to said date declined the same.

Proviso.

C. 19:55 27.

3. In order to make available the information necessary for the making up of military service ballots for use in the general election to be held in the year one thousand nine hundred and forty-four as required by the act to which this act is a supplement:

Certificates shall be made and filed on or before July 15.

(a) All certificates or requests required to be made and filed in said year under sections 19:13–9, 19:13–15, 19:13–22, 19:37–1 and 19:37–2 of the Revised Statutes shall be made and filed by the officers required by said sections to make and file the same on or before July fifteenth, one thousand nine hundred and forty-four.

Vacancies to be filled by July 15.

(b) All vacancies in any nomination for any office to be voted upon at the general election to be held in said year shall be filled whenever practicable on or before July fifteenth, one thousand nine hundred and forty-four.

Validity of objections to petitions determined within fifteen days after primary.

(c) The validity of all objections to petitions of nomination made in such year shall be determined not more than fifteen days after the day of the primary election.

Application to supreme court within fifteen days after primary.

(d) All applications to any of the justices of the Supreme Court setting forth any invasion or threatened invasion of a person's rights under a petition of nomination made in said year, as provided for by section 19:13–12 of the Revised Statutes, shall be made not more than fifteen days after the day of the primary election.

Drawing for position.

(e) The drawing of lots for positions on the ballots to be used at the general election in said year, required by section 19:14–12 of the Revised Statutes, shall take place at three o'clock in the afternoon on the twenty-first day succeeding the day of the primary election.

Secretary of State to certify.

(f) The Secretary of State shall certify to the several county clerks each of the public questions to be voted upon by the voters or electors of the entire State at the general election to be held in said year which then are known to, or are ascertainable by, him on June fifteenth, one thousand nine hundred and forty-four.

C. 19:55-28. Election not to be held invalid.

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

5. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 209

AN ACT concerning banking, savings, trust, guaranty, safe deposit, indemnity, mortgage, investment, loan and building corporations and associations, amending section 17:16–3 of the Revised Statutes.

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

1. Section 17:16–3 of the Revised Statutes is amended to read as follows: Section amended.

17:16–3. Any such corporation or national banking association desiring to secure such certificate of authority shall make application therefor to the commissioner, who shall issue such certificate of authority when: Application for authority.

a. The corporation or national banking association has filed in the office of the commissioner a copy of its charter or certificate of organization or incorporation, attested by its president or vice-president and secretary or treasurer or cashier or assistant cashier under its corporate seal, and a statement attested in the same manner showing its financial condition at the close of business on the thirty-first day of December last preceding, which statement shall be in such form as may be prescribed by the commissioner, who shall furnish blank forms for that purpose; Statement of financial condition.

b. It shall appear by the statement of financial condition hereinabove mentioned that the corporation or national banking association is possessed of an actual paid in, well invested and unimpaired capital stock of at least one hundred thousand dollars ($100,000.00); Capital stock of $100,000.

c. The corporation or national banking association shall deposit with the commissioner such securities as he may prescribe amounting to at least thirty thousand dollars ($30,000.00) in value, to be Securities deposited with commissioner.

held by him in trust for the benefit of its creditors within this State, but if it shall have and keep a deposit of at least one hundred thousand dollars ($100,000.00) in cash or securities approved by the commissioner, with any department or office of the State or country where the corporation is organized, or with the Comptroller of the Currency of the United States the commissioner shall not require the deposit of any securities;

Appoint commissioner attorney for purposes of process.

d. Notwithstanding any other provision of law, the corporation or national banking association shall, by a duly executed instrument filed in the office of the commissioner, constitute the commissioner, and his successor in office, its true and lawful attorney upon whom all original process may be served in any action or legal proceeding against it affecting or relating to any trust or estate within this State in respect to which it is acting in a fiduciary capacity, or any act or default in relation to such estate or trust, and therein shall agree that any original process against it in any such action or legal proceeding which may be served upon the commissioner shall be of the same force and validity as though served on the company, and that the authority thereof shall continue in force, irrevocably so long as any liability of the corporation or national banking association in connection with or relation to any such trust or estate remains outstanding in this State;

Agree to comply with rules of commissioner.

e. The corporation or national banking association shall have complied with such rules and regulations as the Commissioner of Banking and Insurance shall have promulgated with respect to it transacting business in this State and shall have agreed by a duly executed instrument filed in the office of the commissioner to comply with such rules and regulations as shall have been or may be promulgated by the commissioner with respect to it transacting business in this State.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 210

AN ACT relating to the public schools of this State, and amending section 18:14–7 of the Revised Statutes.

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

1. Section 18:14–7 of the Revised Statutes is amended to read as follows: Section amended.

18:14–7. Any school district heretofore or hereafter created, which has not heretofore designated a high school or schools outside such district for the children thereof to attend, and which district lacks or shall lack high school facilities within the district for the children thereof to attend, may designate any high school or schools of this State as the school or schools which the children of such district are to attend. Whenever two or more schools are designated, the board of education of such school district shall make an allocation and apportionment of pupils to the designated high schools. May designate school children to attend. Make allocation of pupils.

If no such allocation or apportionment of pupils has been made by resolution of the board of education of such district prior to the academic year 1943-1944, the actual allocation and apportionment of pupils to the designated high schools in effect in the academic year 1943-1944 shall be deemed to be the allocation and apportionment of pupils for the purpose of this section. In the event that any district, which is not now sending pupils to a high school or schools outside such district shall hereafter decide to designate two or more high schools which the pupils of the district shall attend, and in the event that such district shall fail to make an allocation and apportionment by resolution of the board of education, then the actual allocation and apportionment of pupils in effect in the first If no allocation made.

academic year of the designation shall be deemed to be the allocation and apportionment of pupils for the purpose of this section.

No designation changed.

No designation of a high school or schools heretofore or hereafter made by any district either under this section or under any prior law shall be changed unless good and sufficient reason exists for such change and unless an application therefor is made to and approved by the commissioner. Whenever two or more high schools have been designated, the commissioner shall make equitable determinations on applications for change of designation and allocation and apportionment by allocating and apportioning pupils of the sending district to the designated high schools.

May appeal to State board.

In the event the said commissioner shall refuse to approve the application of a district to make a change of designation or allocation and apportionment, the district may appeal from the determination of the commissioner to the State board, and in its discretion that body may affirm such determination or may approve the change of designation or allocation and apportionment sought. In the event the commissioner approves the application of a district to change a designation or allocation and apportionment, the board of education of the school district having a high school which was theretofore designated as the school to be attended by children of the district making such application may appeal from such determination of the commissioner to the State board, and in its discretion that body may affirm such determination or may deny the change of designation sought.

Tuition rate.

The boards of education of the districts containing high schools so designated shall determine the tuition rate to be paid by the boards of education of the districts sending pupils thereto, but in no case shall the tuition rate exceed the actual cost per pupil. The board of education of each district sending pupils to another district shall issue an order for the amount of such tuition, signed by the president and district clerk or secretary of the

Board of education shall issue order for amount of tuition.

board of education, in favor of the custodian of the school moneys of the school district having the high school being attended by such pupils, which order shall be paid by the custodian of the school moneys of the district sending the pupils, out of any moneys in his hands available for the current expenses of such district.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 211

AN ACT concerning retirement on pension of certain veterans in the public service, and amending section 43:4–1 of the Revised Statutes.

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

1. Section 43:4–1 of the Revised Statutes is amended to read as follows: Section amended.

43:4–1. This chapter shall apply to and include persons serving in and honorably discharged from the military or naval service of the United States, including nurses, in any war in which the United States is or has been engaged and in connection with the American punitive expedition or other intervention campaign or trouble with the Republic of Mexico during the administration of President Woodrow Wilson; *provided,* such designated persons shall have attained the age of sixty-two years or become incapacitated after twenty years of continuous or aggregate service for the duties of their office or position or employment. Applies to persons military or naval service. Proviso.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 212

AN ACT concerning education, and amending section 18:14–80 of the Revised Statutes.

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

Section amended.

1. Section 18:14–80 of the Revised Statutes is amended to read as follows:

18:14–80. Every board of education shall:

Procure a United States flag for each school.

a. Procure a United States flag, flagstaff and necessary appliances therefor for each school in the district and display such flag upon or near the public school building during school hours;

Procure a United States flag for each classroom.

b. Procure a United States flag, flagstaff and necessary appliances or standard therefor for each assembly room and each classroom in each school, and shall display such flag in the assembly room and each classroom during school hours and at such other time as the board of education may deem proper; and

Require pupils to salute and pledge allegiance.

c. Require the pupils in each school in the district to salute the flag of the United States and repeat on every school day the pledge of allegiance to the flag which shall be as follows: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation indivisible, with liberty and justice for all." The salute and pledge of allegiance shall be rendered with the right hand over the heart; but children who have conscientious scruples against such pledge or salute, or the children of accredited representatives of foreign governments to whom the United States extends diplomatic immunity, will always show full respect to the flag while the pledge is given by merely standing at attention; the boys removing the headdress.

Children who have conscientious scruples against salute to stand at attention.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 213

AN ACT concerning elections, and supplementing chapter fifty-two of Title 19 of the Revised Statutes.

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

1. In all counties having a population of more than four hundred thousand wherein voting machines are used the county board of elections shall furnish for use in each election district at any election, a sufficient number of voting authorities in substantially the following form: C. 19:52-2.1. Voting authorities.

City of	City of
Ward District	Ward District
Election Held	Election Held
.....day of.....19...	.....day of.....19...
Voting Authority	Voting Authority
No.....	No.....
	This certificate must be handed to the election officer in charge of the voting machines in order to vote.
	County Board of Elections.
.....	
Signature of Voter.	Clerk.

The voting authorities shall be numbered consecutively, be bound together in pads and shall be printed in two parts and perforated so that one part may be given to the voter who shall return the same to the district election officials in charge of the operation of the voting machine in order that Numbering.

Signed by voter.

such official shall be able to place the same in consecutive order on a string or wire. The other part of the voting authority shall be signed by the voter in his own handwriting before he be permitted to vote and shall remain bound in the pad. All pads containing the portions of the voting authorities on which the names of the persons who have voted have been signed, together with that portion of the voting authority which has been placed on a wire or string shall be returned to the commissioner of registration of the county, who shall keep them for a period of at least six months.

Signed voting authorities returned to commissioner.

Voting authority marked to indicate party primary.

At any primary election for the general election each voting authority shall be marked to indicate the party primary in which the voter signing the same voted and the used voting authorities shall be strung in such a manner so that those used in one party primary shall remain separate from those used in the other party primary.

C. 19:52-2.2. Effective.

2. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 21, 1944.

CHAPTER 214

A SUPPLEMENT to "An act concerning the Passaic Valley Sewerage Commissioners, and supplementing chapter fourteen of Title 58 of the Revised Statutes," approved April sixth, one thousand nine hundred and forty-three (P. L. 1943, c. 76).

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

C. 58:14-34.9. Notwithstanding restrictions commissioners may enter into a lease.

1. Notwithstanding the restrictions and limitations prescribed by the act to which this act is a supplement, the commissioners may enter into a

lease with a lessee at such minimum annual rental and with such other terms as to the flow and discharge to be received and the computation of the quantities thereof as may be approved by the commissioners; *provided,* such lessee shall be a municipality, or a sewer district created under the provisions of section 40:63–32 of the Revised Statutes, which for more than ten years past shall have had a contract or arrangement with a contracting agency for the discharge of sewage into the intercepting sewer of not more than one hundred thousand gallons average daily flow. Proviso.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 215

AN ACT relating to corporations, and amending sections 14:2–3 and 14:11–15 of the Revised Statutes.

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

1. Section 14:2–3 of the Revised Statutes is amended to read as follows: Section amended.

14:2–3. The certificate of incorporation shall set forth:

a. The name of the corporation, which shall not contain the words "insurance," "safe deposit," "trust company," "bank," or "title" but the prohibition of such use of the words "insurance," "safe deposit" or "trust company" shall not apply to or affect the name of any corporation whose certificate was filed prior to April twenty-third, one thousand eight hundred and ninety-seven, and the prohibition of such use of the word "title" shall not apply to or affect the name of any corporation whose certificate was filed prior to the taking effect Certain words prohibited in title.

of this act. The name shall not be one already in use by another existing corporation of this State, or so similar thereto as to lead to uncertainty or confusion;

Principal office.

b. The name of the municipality and the street and number therein, if number there be, in which its principal office in this State is to be located;

Name of agent.

c. The name of the agent in and in charge of such principal office upon whom process against the corporation may be served;

Objects.

d. The object or objects for which the corporation is formed;

Amount of authorized capital stock.

e. The amount of the total authorized capital stock of the corporation which shall not be less than two thousand dollars ($2,000.00) if it is to have a par value, or the total number of shares of stock authorized; the number of shares into which the same is divided, if it is to have a par value; a statement of whether said shares are to have a par value or to be without par value; if the shares are to have a par value, the par value of each share; the amount of capital stock with which it will commence business, which shall not be less than one thousand dollars ($1,000.00); and if there be more than one class of stock created by the certificate, a description of the different classes with the terms on which created;

Incorporators names and addresses.

f. The names and post-office addresses of the incorporators and the number of shares subscribed for by each; the aggregate of such subscriptions shall be the amount with which the corporation will commence business; and

Period of existence.

g. The period, if any, limited for the duration of the company.

Management of business.

The certificate may contain any provision, consistent with law, which the incorporators may choose to insert, for the management of the business and the conduct of the affairs of the corporation, and any provision creating, defining, limiting and regulating the powers of the corporation, its directors and stockholders or any class of stockholders.

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

14:11–15. No corporation, organized or doing business under this Title, shall, by any change or amendment of its name, use the words "insurance" or "safe deposit" or "trust company" or "bank" or "title" or any of them as part of its name, and no certificate of change or amendment shall be filed or recorded in any office in this State for the purpose of effectuating such change. Certain words prohibited on title.

3. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 216

AN ACT concerning alcoholic beverages, and amending section 33:1–4 of the Revised Statutes.

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

1. Section 33:1–4 of the Revised Statutes is amended to read as follows: Section amended.

33:1–4. The commissioner is hereby empowered: Commissioner empowered.

a. To maintain suitable headquarters for said department and such other offices and establishments within the State as he may determine necessary; to organize said department, creating such divisions and altering them in such manner and at such times as he considers advisable. Maintain suitable headquarters.

b. To appoint and have at all times three deputy commissioners who shall each receive compensation at the rate of not exceeding six thousand dollars ($6,000.00) per annum, and who shall be removable by the commissioner at will, and who shall be respectively in charge of the divisions assigned to them by the commissioner. Each such deputy shall, before entering upon the duties of his office, if required by the commissioner, give bond, to be ap- Appoint deputy commissioners. Give bond.

proved by the commissioner, in the sum of twelve thousand dollars ($12,000.00). Deputy commissioners shall not be subject to the provisions of Title 11, Civil Service.

Appoint clerical force.

c. To appoint such clerical force and employees as he may deem necessary and to fix their duties, all of whom shall be subject to the provisions of Title 11, Civil Service.

Appoint inspectors.

d. To appoint such inspectors and investigators as he may deem necessary and to fix their duties, terms of service and compensation. Inspectors and investigators shall (1) not be subject to the provisions of Title 11, Civil Service, and (2) be removable by the commissioner at will. Each inspector and investigator, before entering upon the duties of his office, shall, if required by the commissioner, give bond to be approved by the commissioner, in such sum as may be deemed by him to be proper. The commissioner, deputies, inspectors and investigators shall have authority to arrest, without warrant, for violations of this chapter committed in their presence, and shall have all the authority and powers of peace officers to enforce this chapter. Investigators shall have full authority to conduct any investigation ordered by the commissioner.

Appoint experts.

e. To appoint for short-time employment or for the purpose of performing specified expert or specialist service such experts and specialists as from time to time he shall deem necessary to carry out the provisions of this chapter, and to determine the specified duty, salary or fee and term of service. Such experts or specialists shall not be subject to the provisions of Title 11, Civil Service.

Appoint counsel.

f. To appoint such counsel and other legal assistants as he shall deem necessary to carry out the provisions of this chapter and to fix their powers, duties, salaries and terms of office. Such counsel and assistants shall not be subject to the provisions of Title 11, Civil Service.

Effective.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 217

AN ACT concerning public education, and supplementing Title 18 of the Revised Statutes.

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

C. 18:2-4.1. State board shall prescribe rules.

1. The State Board of Education shall prescribe rules and regulations governing the public inspection of pupil records and the furnishing of any other information relating to the pupils and former pupils of any school district. No liability shall attach to any board of education, its officers, or employees, who shall permit the inspection of records and who shall furnish information pursuant to the rules and regulations prescribed by the State Board of Education pursuant to this act.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 218

AN ACT to create a post-war reserve account in the General State Fund.

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

C. 52:14-36. Post-war reserve account.

1. The Comptroller of the Treasury is hereby authorized and directed to set up an account in the General State Fund entitled "post-war reserve account."

C. 52:14-37. Advise Governor sums that might be transferred.

2. At the end of each fiscal year the Comptroller of the Treasury shall advise the Governor as to which sums might be transferred to this account from surpluses in either the General State Fund

or the State Highway System Fund and, upon certification by the Governor, such sums shall be transferred and credited to the post-war reserve account; *provided, however,* that no moneys which have been or shall be appropriated or allotted as State aid to counties, municipalities or school districts shall be subject to the provisions of this act.

Proviso.

C. 52:14-38. Invest sums in United States government bonds.

3. The Governor, Comptroller of the Treasury and State Treasurer are hereby authorized and empowered to invest and to liquidate the sums credited to the post-war reserve account in the United States Government bonds.

C. 52:14-39. Interest credited to post-war reserve fund.

4. All interest earned on said investments shall be credited to and become a part of the post-war reserve fund.

5. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 219

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and regulating the disbursement thereof," approved March twenty-seventh, one thousand nine hundred and forty-three.

Preamble.

WHEREAS, Pursuant to statute and practice the clerk of the Supreme Court did deposit moneys received by him for fees and costs in various banks and banking institutions of this State; and

Preamble.

WHEREAS, By reason of the closing of the Ocean City National Bank, of Ocean City, New Jersey, and the Englewood Title Guarantee and Trust

Company, of Englewood, New Jersey, the funds of the clerk were depleted in the amount of three thousand six hundred eight dollars and thirty-four cents ($3,608.34); and

Preamble.

WHEREAS, Between the years one thousand nine hundred and twenty-eight and one thousand nine hundred and thirty-seven there was paid to the State Treasurer by the clerk of the Supreme Court interest received in the amount of seven thousand one hundred seventy-nine dollars and fifty-four cents ($7,179.54); and

Preamble.

WHEREAS, It is desired that the fund in the hands of the clerk of the Supreme Court be reimbursed for moneys not recovered in the closing of the two aforesaid banks; therefore,

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

Treasurer pay on warrant of comptroller.

1. There shall be paid by the treasurer of this State on warrant of the Comptroller to the clerk of the Supreme Court the sum of three thousand six hundred and eight dollars and thirty-four cents ($3,608.34) which shall be credited to the fund subject to the supervision of the clerk of the Supreme Court.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 220

AN ACT empowering the State Tax Commissioner, with the approval of the ordinary, to compromise inheritance and estate taxes where doubt arises as to the legal domicile of the decedent, and supplementing subtitle five of Title 54 of the Revised Statutes.

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

C. 54:38A-1. Commissioner claims decedent was domiciled in the State.

1. Where the State Tax Commissioner claims that a decedent was domiciled in this State at the time of death and the taxing authorities of another State or States make a similar claim with respect to their State or States, and investigation discloses a reasonable doubt regarding domicile, the State Tax Commissioner may, in his discretion, enter into a written agreement with such taxing authorities and the executor, administrator or trustee, fixing the sum acceptable to this State in full settlement of the transfer inheritance tax imposable under chapters thirty-three to thirty-six, inclusive, of Title 54 of the Revised Statutes; *provided,* that said agreement also fixes the sum acceptable to such other State or States in full settlement of the death taxes imposable by such State or States; *and provided further,* that said agreement has the approval of the ordinary of this State. If the aggregate amount payable under such agreement to the States involved is less than the maximum sum allowable as a credit to the estate against the Federal estate tax imposed thereon, then the executor, administrator or trustee shall also pay to the State Tax Commissioner so much of the difference between such aggregate amount and the amount of such credit as the amount payable to the State Tax Commissioner under the agreement bears to such aggregate amount, and the agreement aforesaid

May enter into agreement.

Proviso.

Proviso.

Amount payable.

shall so provide. Payment of the sum or sums fixed by said agreement shall be accepted by the State Tax Commissioner in full satisfaction of this State's claim for transfer inheritance and estate taxes which would otherwise be chargeable under subtitle five of Title 54 of the Revised Statutes, and the executor, administrator or trustee is hereby empowered to enter into the agreement provided for herein. Payment accepted.

2. This act shall take effect immediately and shall apply where death occurs on or after its effective date. C. 54:38A-2. Effective.

Approved April 21, 1944.

CHAPTER 221

AN ACT concerning insurance on the lives of children, and amending section 17:34–30 of the Revised Statutes.

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

1. Section 17:34–30 of the Revised Statutes is amended to read as follows: Section amended.

17:34–30. A person liable for the support of a child may take a policy of insurance thereon. Policy of insurance.

In respect of insurance heretofore or hereafter issued upon the life of a person not of the full age of twenty-one years, but of the age, as determined by the nearest birthday, of not less than fifteen years, for the benefit of the minor or for the benefit of the father, mother, husband, wife, child, brother or sister of the minor, the assured shall not, by reason only of his minority, be deemed incompetent to contract for the insurance, or for the surrender of the insurance, or to give a valid discharge for any benefit accruing, or for money payable under the contract. Insurance on life of person not of full age.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 222

AN ACT appropriating to the Passaic Valley Water Commission the sum of thirty-two thousand dollars ($32,000.00).

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

Appropriation for expenses of Passaic Valley Water Commission.

1. There is hereby appropriated to the Passaic Valley Water Commission the sum of thirty-two thousand dollars ($32,000.00) from the General State Fund for expenses incurred by the Passaic Valley Water Commission in connection with the interchange of water under emergency orders of the State Water Policy Commission issued during the month of April, one thousand nine hundred and forty-two.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 223

AN ACT to permit the retirement on pension, from public office or position, of superintendents of public works in boroughs in this State, after thirty years' continuous service in public office or position and after having attained the age of sixty years, and defining the manner of payment of said pension.

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

C. 43:12-58. May retire after thirty years' service.

1. Whenever any superintendent of public works in any borough in this State heretofore has, here-

after shall or heretofore and hereafter shall have been for thirty years continuously in public office or position in such borough, and has or shall have attained the age of sixty years, it shall be lawful for the body, board or officer having power to appoint his successor in case of vacancy to allow his retirement from service, upon his own request.

C. 43:12-59. Pension.

2. In case of such retirement, the person so retired shall be entitled, for and during his natural life, to receive, by way of pension, such sum as said body or board may by resolution determine, not less, however, than one-half of the salary then being received by him for such service, the same to be paid in the same manner and in the same installments in which such salary has heretofore been payable.

C. 43:12-60. Provision for pension.

3. Provision for all pensions arising under this act shall be made in the appropriation of tax levy for the department of the public service from which such person shall be retired, and no pension shall cease or become invalid by reason of the abolition of the department or office in which he served, or any change in its title.

4. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 224

AN ACT concerning counties, and supplementing chapter six of Title 44 of the Revised Statutes.

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

C. 44:6-5. Appropriate money for dental clinic.

1. The board of chosen freeholders of any county wherein there is in use a trailer or mobile dental clinic may raise, appropriate and use annually such sum of money as it may deem advisable in the furtherance of or for the maintenance and equip-

ment of a dental clinic or clinics in the county for the treatment of indigent persons of school age.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 225

AN ACT to supplement "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and regulating the disbursement thereof," approved March twenty-seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 54).

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

Appropriation to Jersey City State Teachers College.

1. In addition to the several amounts appropriated to the Jersey City State Teachers College for the fiscal year 1943-1944, there may be expended by such college upon approval of the State House Commission any moneys received by it from extension course fees or charges in excess of six thousand dollars ($6,000.00) during the said fiscal year.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 226

AN ACT concerning persons holding certain offices, positions and employments in the public school system of this State who, after July first, one thousand nine hundred and forty, have entered or hereafter shall enter the active military or naval service of the United States or of this State, in time of war or emergency, or for or during any period of training or pursuant to or in connection with the operation of any system of selective service or who, after July first, one thousand nine hundred and forty, have entered or hereafter, in time of war, shall enter the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, and to provide for and protect their rights to employment, re-employment and tenure in such offices, positions and employments and the rights, privileges and benefits of certain of them in any pension, retirement or annuity fund of which they were or are members in good standing at the time of entering such service and repealing "An act concerning the holders of offices, positions and employments, in the public schools of this State, concerning re-employment, acquisition of tenure and protecting pension rights when the holders of such offices, positions or employments enter the military or naval services of the United States, and supplementing Title 18 of the Revised Statutes," approved May nineteenth, one thousand nine hundred and forty-one

(P. L. 1941, c. 134), as said title was amended by chapter one hundred nineteen of the laws of one thousand nine hundred and forty-two (P. L. 1942, c. 119).

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

Rights of employees in schools serving in armed forces.

1. Every person holding office, position or employment other than for a fixed term or period in the public school system of this State who, after July first, one thousand nine hundred and forty, has entered, or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service, or who, after July first, one thousand nine hundred and forty, has entered or hereafter, in time of war, shall enter the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be entitled to all of the benefits and be subject to all of the terms and conditions of chapter one hundred nineteen of the laws of one thousand nine hundred and forty-one as amended and supplemented, except that if and in event that during his said leave of absence the salary of any such person was or shall be increased, or salary increments arising from the carrying out of a scale of salary increments in full force and effect applying to all persons employed in the same classification as such person, were or shall be granted, which such person would have enjoyed had he not entered such service, such person after resuming his said office, position or employment shall be entitled to said increased salary and shall be entitled to the benefit of said increased salary during his said leave of absence if his leave of absence was or is granted with pay.

Entitled to increase of salary.

Person holding office term on entering active service.

2. Every person holding office, position or employment for a fixed term or period under the government of any school district of this State or in any public educational institution under the control of the Commissioner of Education or the State Board of Education, who, after July first, one thousand nine hundred and forty, has entered or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service or who, after July first, one thousand nine hundred and forty, has entered or hereafter, in time of war, shall enter the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be granted leave of absence for the period of such service and for a further period of three months after receiving his discharge from such service. If any such person shall be incapacitated by wound or sickness at the time of his discharge from such service, his leave of absence shall be extended until three months after his recovery from such wound or sickness, or until the expiration of two years from the date of his discharge from such service, whichever shall first occur.

Leave of absence extended.

Not to be discharged during leave.

In no case shall such person be discharged or separated from his office, position or employment during such period of leave of absence because of his entry into such service. Such person shall be entitled to resume the office, position or employment held by him at the time of his entrance into such service; *provided,* he shall apply therefor before the expiration of his leave of absence; *and provided,* he shall be honorably discharged from such service, and shall be entitled to continue in such office, position or employment for a period of time equivalent to that part of the term or period for which he was employed, which had not expired

Proviso.

Proviso.

Re-employed.

at the time of his entering into such service and shall be re-employed in such office, position or employment for such additional period, if any, as when added thereto shall equal one year from the date of his resumption of such office, position or employment and in any such case the period or periods of employment served in said school district or public educational institution before entering such service and after his resumption of said office, position or employment shall be counted in determining his right to tenure in said office, position or employment in the same manner as though they had not been interrupted by his said leave of absence and if and in event that during his said leave of absence any such person's salary was or shall be increased or if salary increments arising from the carrying out of a scale of salary increments in full force and effect applying to all persons employed in the same classification as such person, were or shall be granted, which such person would have enjoyed had he not entered such service, such person after resuming his said office, position or employment shall be entitled to said increased salary and shall be entitled to the benefit of said increased salary during his leave of absence if his leave of absence was or is granted with pay. Upon resumption of his office, position or employment the service in such office, position or employment of the person temporarily filling the same shall immediately cease.

Time counted in determining right to tenure.

Person holding office subsequent to July 1, 1940.

3. Any person holding any office, position or employment in the public school system of this State who, heretofore and subsequent to July first, one thousand nine hundred and forty, entered or hereafter, in time of war, shall enter the active military or naval service of the United States or the active service of the Women's Army Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy and who, at the time of such entry was or is a member in good standing of any pension, retirement or annuity fund, shall

retain and have all of the rights, benefits and privileges in said pension, retirement or annuity fund prescribed by chapter two hundred fifty-two of the laws of one thousand nine hundred and forty-two as amended and supplemented and shall be subject to all the conditions and provisions thereof except that if and in event that during his said leave of absence the salary of any such person was or shall be increased or if salary increments arising from the carrying out of a scale of salary increments in full force and effect in the school district or public educational institution in which such person was employed and applying to all persons so employed in the same classification as such person, were or shall be granted, which such person would have enjoyed had he not entered such service, his right to participate in the benefits of said pension, retirement or annuity fund and the amount of the contributions required by said act to be made to said pension, retirement or annuity fund shall be calculated on the basis of such increased salary.

4. The act entitled "An act concerning the holders of offices, positions and employments in the public schools of this State, concerning re-employment, acquisition of tenure and protecting pension rights when the holders of such offices, positions or employments enter the military or naval services of the United States, and supplementing Title 18 of the Revised Statutes," approved May nineteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 134), as said title was amended by chapter one hundred nineteen of the laws of one thousand nine hundred and forty-two (P. L. 1942, c. 119) is repealed. Certain act repealed.

5. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 227

AN ACT to amend "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

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

Section amended.

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

C. 5:5-64. Distribution of winnings.

44. Each holder of a permit shall distribute all sums deposited in any pool to the winners thereof, less an amount which in harness races shall not exceed fourteen per centum (14%) of the total deposits plus the breaks and which in other races shall not exceed ten per centum (10%) of the total deposits plus the breaks. The breaks are hereby defined as the odd cents over any multiple of five cents ($0.05), calculated on the basis of one dollar ($1.00) otherwise payable to a patron. All sums held by any permit holder for payment of outstanding pari-mutuel tickets not claimed by the person or persons entitled thereto within sixty days from the time such tickets are issued, shall be paid to the

Breaks.

Unclaimed sums.

commission upon the expiration of such sixty-day holding period.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 228

AN ACT concerning motor vehicles, and supplementing chapter three of Title 39 of the Revised Statutes.

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

C. 39:3-22.1. Refund of registration fee.

1. Any person, who has entered or shall enter into active service in any branch of the naval or military forces of the United States and who has or shall have registered his motor vehicle in this State for any registration year, shall be entitled to a refund on the registration fee paid for such vehicle for said year which shall be one-twelfth of the registration fee so paid times the number of full months remaining of the registration year for which the vehicle will not be operated on the public highways of this or any other State; *provided,* that such person makes written application to the commissioner for such refund, under oath, in such form as the commissioner shall require and surrenders the certificate of registration and license plates of such motor vehicle.

Proviso.

C. 39:3-22.2. Surrender of license plates.

2. Upon approval by the commissioner of such application and the surrender of such certificate of registration and license plates, the State Comptroller shall draw his warrant upon the State Treasurer for the amount of such claim in favor of such claimant, and such warrant shall be paid from the moneys collected from motor vehicle registrations.

3. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 229

AN ACT concerning pension funds for sheriffs' employees in counties now or hereafter having a population of more than three hundred twenty-five thousand and not more than four hundred thousand inhabitants.

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

C. 43:10-72.1. Entry into service as sheriff's employee.

1. Any sheriff's employee of any county now or hereafter having a population of more than three hundred twenty-five thousand and not more than four hundred thousand inhabitants, who, at the time of his entry into service as a sheriff's employee, had not attained the age of forty-seven years and who is not a member of the pension fund for sheriff's employees of said county and who signifies in writing his desire to become a member of said pension fund to the board of chosen freeholders of the county within six months after the effective date of this act shall be admitted as a member of said pension fund, with the same standing as a member of said fund as if he had joined it upon his entry into such service as a sheriff's employee; *provided,* (a) that he satisfies the board of chosen freeholders that he meets the conditions required under this act; (b) that he shall pay into said fund all accrued contributions, with interest, either in one payment or in regular semimonthly payments, under such rules and regulations as the board of chosen freeholders shall make; and (c) that he consent to the regular deductions required of other members of said fund.

Admitted as member.

Proviso.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 230

AN ACT concerning elections, supplementing Title 19, repealing sections 19:15–7, 19:15–13, 19:15–14, 19:15–15, 19:15–16, 19:15–35 and 19:15–36, of the Revised Statutes and repealing "An act concerning elections, and supplementing Title 19 of the Revised Statutes," approved June third, one thousand nine hundred and forty-one (P. L. 1941, c. 177).

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

C. 19:31A-7. Signature comparison record.

1. The commissioner of registration shall have printed on the back of the duplicate permanent registration and voting form a signature comparison record, which record shall have in the left-hand side one-half inch from the top, a line upon which the voter when registering shall place his signature. Directly underneath this line shall be printed the words "sample signature."

Specification for printing record.

The signature comparison record shall be printed so as to leave a margin one and one-half inches on the left-hand side for the purpose of binding. The remainder of the space shall be ruled to provide a record of registrants' signatures as made for comparison purposes before receiving a ballot at any election. The form shall be sufficient to record such signatures for a period of twenty years and shall be subdivided into seven columns.

At the top of the first column at the left-hand side shall appear the word "year." Said column shall be approximately three-quarters of an inch wide.

At the top of the second column shall appear the abbreviation for the word "signature compared by." In this column the district election board official shall place his initials certifying that he has compared the signature of the voter placed in third column with the sample signature at the top of the

signature comparison record. Said column shall be approximately one-half inch in width.

At the top of the third column shall appear the word "primary" and directly under each line in said column shall be printed the words "for women," "state Miss or Mrs." Upon the line in said column opposite the particular year the voter shall place his signature when voting in the primary election for the general election in the year as stated in the first column. This column shall be approximately three and one-fourth inches wide.

At the top of the fourth column shall appear the abbreviation of the words "signature compared by." In this column the district election board official shall place his initials certifying that he has compared the signature of voter placed in the fifth column, with the sample signature at the top of the signature comparison record. Said column shall be approximately one-half inch in width.

At the top of the fifth column shall appear the word "general" and directly under each line in said column shall be printed the words "for women," "state Miss or Mrs." Upon the line in said column opposite the particular year the voter shall place his signature when voting in the general election in the year as stated in the first column. This column shall be approximately three and one-fourth inches wide.

At the top of the sixth column shall appear the abbreviation of the words "signature compared by." In this column the district election board official shall place his initials certifying that he has compared the signature of voter placed in the seventh column, with the sample signature at the top of the signature comparison record. Said column shall be approximately one-half inch in width.

At the top of the seventh column shall appear the words "any other election" and directly under each line in said column shall be printed the words "for women," "state Miss or Mrs." Upon the line in said column opposite the particular year the voter shall place his signature when voting in any

election other than a primary election for a general election or a general election. The signature shall be placed on the line opposite the year stated in the first column which corresponds with the year during which such other election shall be held. This column shall be three and one-fourth inches wide.

Signing by voter.

At the time the voter registers in addition to obtaining the signature on the original and duplicate registration forms the commissioner of registration shall also require the registrant to sign the signature comparison record on the back of the duplicate registration form above the line below which are the words "sample signature."

Form of record.

The signature comparison record shall be in substantially the following form:

SIGNATURE COMPARISON RECORD

YEAR	Sample Signature								
	Sig. Comp. By	PRIMARY		Sig. Comp. By	GENERAL		Sig. Comp. By	ANY OTHER ELECTIONS	
1941		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1942		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1943		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1944		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1945		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1946		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1947		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1948		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1949		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1950		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1951		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1952		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.

C. 19:31A-8. Voting procedure.

2. Every person qualified to vote in any election shall at any time after the opening of the polls be at liberty to enter the polling place or room and claim his right to vote at such election in his proper district, and he shall claim such right in person before the district board in the district. The board shall permit no person to vote whose name does not appear in the signature copy register of its election district. Each voter in claiming the right to vote shall first give his full name and address to the member of the district board having charge of the duplicate permanent registration binder and voting record and the signature comparison record. Such clerk shall thereupon locate the permanent registration form and voting record and signature comparison record of the voter and shall require the voter to thereupon sign his name in the proper space on his signature comparison record if the voter has previously signed his name on the line marked sample signature. If the voter has not so signed the member of the district board shall require the voter to sign the line marked sample signature and compare the sample signature with the signature made by such person at the time he registered and if satisfied that they were made by one and the same person he shall then permit the voter to sign his name in the proper space on the signature comparison record. The voter shall sign his name without assistance using black ink in the proper column on the signature comparison record. Such signature being completed on the signature comparison record the member of the board having charge of the duplicate permanent registration binder shall audibly and publicly announce the name of the claimant and if the member of the board has ascertained from the duplicate permanent registration binder that the claimant is registered as a qualified voter and upon comparison the member of the board is satisfied that the signature of the claimant and the sample signature on the signature copy register has been made by one and the same person, the member of the board who

compared the signature of the voter shall place his initials in the proper column on the signature comparison record signifying that he has made such comparison and is satisfied that the signature of the claimant and sample signature has been made by one and the same person; whereupon the voter shall be eligible to receive a ballot unless it be shown to the satisfaction of a majority of the members of the district board that he is not entitled to vote in the district or has otherwise become disqualified.

Announce name and party primary.

In addition to signing the signature comparison record and after the comparison of the signature with the signature in the register, a person offering to vote at a primary election for the general election shall announce his name and the party primary in which he wishes to vote.

Number of persons ballot.

After a person has voted, the member of the district board having charge of the signature copy registers shall place the number of the person's ballot in the proper column on the record of voting form of such person, which number shall constitute a record that the person has voted. In the case of a primary election for the general election such member of the district board shall also place in the proper column on the record of voting form the first three letters of the name of the political party whose primary ballot such person has voted.

Not required to sign name if unable to write.

No person shall be required to sign the signature comparison record as a means of identification if he shall have been unable to write his name when he registered, or if, having been able to write his name when registered, he subsequently shall have lost his sight or lost the hand with which he was accustomed to write or shall by reason of disease or accident be unable to write his name when he applies to vote, but each such person who alleges his inability to sign his name on the signature comparison record, shall establish his identity as follows: one of the members of the district board shall read the same list of questions to the voter as were required upon registration, such questions

shall be provided at each election by the commissioner of registration and are to be known as "identification statements for election day." The member of the board shall write the answers of the voter upon the identification statement. These statements shall be inserted in the front of the duplicate registry binders, at each election, and shall be numbered serially from one to twenty.

Statement to contain same questions.

Each statement shall contain the same questions as the voter was required to answer upon registration. The questions answered upon registration shall not be turned to or inspected until the answers to the questions shall have been written on election day by the member of the board.

Certificate to follow statement.

At the end of each list of questions shall be printed the following statement: "I certify that I have read to the above named voter each of the foregoing questions and that I have duly recorded his answers as above to each of said questions." and the member of the board who has made the above record shall sign his name to such certificate and date the same, and note the time of day of making such record. If the answers to the questions asked of the voter on election day agree with the answers given by him to the same questions at the time he registered, he shall then be eligible to receive a ballot. Any person who shall permit or attempt to furnish the answers on behalf of the voter shall be guilty of a misdemeanor. The commissioner of registration shall furnish sufficient identification statements for each election district in each county. The statements shall be printed on sheets approximately ten by sixteen inches and shall contain a margin of approximately two inches for binding and shall be inserted in the front of the duplicate registry binders each election and shall be in substantially the following form:

Guilty of misdemeanor.

Identification statements.

Form of statement.

IDENTIFICATION STATEMENT FOR ELECTION DAY, 19

Affidavit Number	Name of Voter	What is, or was your father's full name?	What is, or was your mother's full name?	Are you Married or Single?	Where Did You Actually Reside Prior to Taking Up Your Present Residence. State Floor and Character Premises.	I Certify that I Have Read to the Elector Each of the Foregoing Questions and That I Have Truly Recorded His Answer to Each of the said Questions
1A						
2A						Signature of Member of the Board of Registry and Election.
3A						Signature of Member of the Board of Registry and Election.
4A						Signature of Member of the Board of Registry and Election.
5A						Signature of Member of the Board of Registry and Election.
6A						Signature of Member of the Board of Registry and Election.
7A						Signature of Member of the Board of Registry and Election.
8A						Signature of Member of the Board of Registry and Election.
9A						Signature of Member of the Board of Registry and Election.
10A						Signature of Member of the Board of Registry and Election.
11A						Signature of Member of the Board of Registry and Election.
12A						Signature of Member of the Board of Registry and Election.
13A						Signature of Member of the Board of Registry and Election.
14A						Signature of Member of the Board of Registry and Election.
15A						Signature of Member of the Board of Registry and Election.
16A						Signature of Member of the Board of Registry and Election.
17A						Signature of Member of the Board of Registry and Election.
18A						Signature of Member of the Board of Registry and Election.
19A						Signature of Member of the Board of Registry and Election.

Unable to mark ballot because of blindness.

At any election any person who declares under oath and establishes to the satisfaction of a majority of all the members of the district board that by reason of blindness or other physical disability he is unable to mark his ballot without assistance, shall have the assistance of two members of the board of opposite political faith, to be assigned by the board, in preparing his ballot. Such members shall retire with such voter to the booth and assist him in the preparation of his ballot and folding the same. The member acting as clerk of the district board shall make an entry on a disability certificate for assistance which entry shall be in the form of an oath and be inserted in the front of the duplicate registry binders each election.

Names of members who aided voter.

In every instance when such oath was administered to a voter as herein provided, it shall state briefly what facts were sworn to and the names of the members of the board who aided such voter. Any members of the district board shall be eligible to witness the preparation of the ballot of any such voter, but no other person shall be allowed to assist him in marking his ballot or to witness the marking of the same. No member of the board shall reveal the name of any person for whom such voter has voted, or anything that took place while he was being assisted.

Blind voter may have assistance of person of his own selection.

The voter, if blind, may, in lieu of the assistance of the board as above provided, have assistance of some person of his own selection in preparing his ballot. Such person shall retire with such voter to the booth and assist him in the preparation of his ballot and folding the same. The name and address of such person shall be recorded as above. In such case, no other person than the one so selected by the voter shall be allowed to assist such voter in marking his ballot or witness the marking of the same. No person so selected shall reveal the name of any person for whom such voter has voted or anything that took place while he was being assisted.

Disability certificates numbered serially.

The disability certificates shall be numbered serially one to twenty. The commissioner of registration shall furnish sufficient disability certificates for assistance for each election district in his county. The disability certificates for assistance shall be printed on sheets approximately ten by sixteen inches and shall contain a margin of approximately two inches for binding and shall be in substantially the following form:

Form of certificate.

DISABILITY CERTIFICATES FOR ASSISTANCE

1
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

2
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

3
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

4
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

5
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

6
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

7
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

8
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

9
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

10
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

11
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

12
To..... No.....
(Name of voter.) (Voter's No.)
Do you solemnly swear (or affirm) that you are
.....
(physical disability.)
(*Blindness)
and that by reason thereof, you are unable to enter and remain in a booth, or prepare your ballot therein for voting at this election, without assistance; so help me God.
.....
Name of member of Board of Registry and Election taking oath.
Must be signed by 2 members of Board of Registry and Election of opposite political party assisting voter. { .....
.....
.....
Name of voter assisting blind voter.
.....
Address of voter assisting blind voter.

Commissioner of registration to furnish certificates.

The commissioner of registration in each county shall furnish sufficient certificates of signature comparison records for each election district in his county to be filled in and signed at the close of the polls by the members of the district board. A blank space shall also be provided for on the certificate for the signatures of the members of the election board. Under said certificate there shall also be printed the word "Remarks" together with a number of blank lines. The commissioner shall insert one of such certificates in the front of the signature copy register in each election district in the county. At primary elections the certificate shall be in substantially the following form:

PRIMARY ELECTION

CERTIFICATION OF SIGNATURE COMPARISON RECORD

Form of certificate.

The undersigned constituting the district board of election in the County of.....
in the .....
(City, Town, Township, Borough or Village)
.....Ward .....District
hereby certify that (.....) is the correct
(Figures)
total of the number of names of voters who actually signed the signature comparison records and voted in the DEMOCRATIC PRIMARY ELECTION held on the ..... day of ..... 194...

And hereby certify that (.....) is the
(Figures)
correct total of the number of names of voters who actually signed the signature comparison records and voted in the REPUBLICAN PRIMARY ELECTION held on the.....day of..... 194...

DISTRICT
.....Judge .....Clerk.

BOARD OF
.....Inspector .....Clerk.

ELECTION

Remarks: .....
.....

.....
.....
.....
.....
.....

At all other elections the certificates shall be in substantially the following form:

CERTIFICATION OF SIGNATURE COMPARISON RECORD

The undersigned constituting the district board of election in the County of.....
in the .....
(City, Town, Township, Borough or Village)
.....Ward .....District
hereby certify that (.....) is the correct
(Figures)
total of the number of names of voters who actually signed the signature comparison records and voted in the .....
(General, Special or other Election as the case may be)
election held on the.....day of.....,194...

DISTRICT
.....Judge .....Clerk.

BOARD OF
.....Inspector .....Clerk.

ELECTION
Remarks: .....
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Removal of certificates from binders.

After each election the commissioner of registration shall remove from the binders the identification statements, the disability certificates for

assistance, and certifications of signature comparison records and shall preserve them in his office in a suitable place for a period of two years.

C. 19:31A-9. When name of voter is marked as having voted.

3. When any legal voter shall apply to the district board in the district in which he resides and shall find that his name upon the signature comparison record is marked as having voted, the district board shall not permit such persons to vote. Application may be made by the registrant to the commissioner and upon due proof to the commissioner or his duly authorized clerk that such registered voter has not voted in such election the commissioner shall issue a certificate directed to the district board authorizing the district board to permit such person to vote.

Commissioner to cause member of district board to appear.

The commissioner shall immediately following such election cause the members of the district board in such district to appear before him and unless such district board can explain to the satisfaction of the commissioner why such registrant's form was marked as voted the commissioner shall advise the county board that such district board or any member thereof has failed in the performance of its duty and the member or members of such board who have so failed in their duty shall be ineligible for appointment as members of any district board thereafter.

C. 19:31A-10. Sections repealed.

4. Sections 19:15–7, 19:15–13, 19:15–14, 19:15–15, 19:15–16, 19:15–35 and 19:15–36 of the Revised Statutes and "An act concerning elections and supplementing Title 19 of the Revised Statutes," approved June third, one thousand nine hundred and forty-one (P. L. 1941, c. 177), are repealed.

5. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 231

AN ACT concerning elections, and amending section 19:23–17 of the Revised Statutes.

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

1. Section 19:23–17 of the Revised Statutes is amended to read as follows: Section amended.

19:23–17. Any person indorsed as a candidate for nomination for any public office or party position whose name is to be voted for on the primary ticket of any political party, may, by indorsement on the petition of nomination in which he is indorsed, request that there be printed opposite his name on the primary ticket a designation, in not more than six words, as named by him in such petition, for the purpose of indicating either any official act or policy to which he is pledged or committed, or to distinguish him as belonging to a particular faction or wing of his political party; *provided, however,* that no such designation or slogan shall include or refer to the name of any person or any incorporated association of this State unless the written consent of such person or incorporated association of this State has been filed with the petition of nomination of such candidate or group of candidates. May request designation opposite name. Proviso.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 232

AN ACT concerning the Unemployment Compensation Commission, and supplementing chapter twenty-one of Title 43 of the Revised Statutes.

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

C. 43:21-12.4. May enter into agreement to place in jobs honorably discharged soldiers.

1. The Unemployment Compensation Commission is authorized to enter into arrangements or agreements with any administrator, agent, agency, board or body designated and established under any law or laws of the United States providing for the placement in jobs of honorably discharged veterans of World War II and for the payment to such veterans of benefits or readjustment allowances covering periods of unemployment, whereby the personnel, records and facilities of the commission shall be employed, under the direction and control of the commission, for implementing and carrying into effect such Federal law, or laws; *provided, however,* that all costs and expenses incurred as well as all funds to make payments of such benefits and readjustment allowances shall be provided by Federal grant, and not devolve upon the State of New Jersey.

Proviso.

2. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 233

AN ACT authorizing and providing for the exchange of certain lands, situate in the city of Atlantic City, in the county of Atlantic, by and between the Federal Government and the State of New Jersey.

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

Bond authorized to convey to agency of Federal Government.

1. The Board of Commerce and Navigation acting for, in the name of and on behalf of the State of New Jersey, is authorized to convey by appropriate deed to such agency of the Federal Government as shall be designated to represent the Coast Guard the following described property, situate in the city of Atlantic City, county of Atlantic, and State of New Jersey, bounded and described as follows, to wit:

All that certain lot, tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the city of Atlantic City, in the county of Atlantic, and State of New Jersey:

Description.

Beginning at a point in the second course of the deed of the city of Atlantic City to the State of New Jersey, dated August 26, 1943; thence (1) southwardly along the second course in the aforementioned deed parallel with Maryland avenue, 180 feet to a point; thence (2) eastwardly parallel with Mediterranean avenue, 100 feet to a point being the third course of the aforementioned deed; thence (3) northwardly along the fourth course of the aforementioned deed of the city of Atlantic City to the State of New Jersey parallel with Maryland avenue, 180 feet to a point; thence (4) eastwardly parallel with Mediterranean avenue, 100 feet to a point and place of beginning.

Federal agency to convey to State of New Jersey.

2. In exchange therefor, the proper Federal agency shall convey to the State of New Jersey by

appropriate deed the lands and premises hereinafter particularly described:

All that certain lot, tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the city of Atlantic City, in the county of Atlantic, and State of New Jersey:

Description.

Beginning at a point distant 1800 feet measured eastwardly along Huron avenue from the easterly line of Maryland avenue and distant 60 feet south of the north line of Huron avenue, thence (1) south at right angles to Huron avenue, a distance of 90 feet; thence (2) east at right angles to the first course to a point in the mean high water line of the westerly shore of Beach Thorofare; thence (3) following the mean high water line of the westerly shore of Beach Thorofare in a northerly direction to a point 60 feet south of the north line of Huron avenue; thence (4) west and parallel with Huron avenue to the point and place of beginning.

Being a portion of the premises conveyed by the city of Atlantic City, a municipal corporation of New Jersey, to the United States of America, by deed dated August 4, 1938, and recorded in the Atlantic County Clerk's Office in Book 1080 of Deeds for said county, on pages 254, etc.

Deeds of exchange to be approved by Attorney-General.

3. The said deeds of exchange and the title thereto shall be submitted to be approved by the Attorney-General and upon the exchange of the conveyances aforesaid, the State of New Jersey shall hold title to the lands and premises described in paragraph two hereof.

4. This act shall take effect immediately.

Approved April 21, 1944.

CHAPTER 234

AN ACT concerning pension funds of county probation officers in certain counties of this State, and amending section 43:10–57 of the Revised Statutes.

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

1. Section 43:10–57 of the Revised Statutes is amended to read as follows: Section amended.

43:10–57. A fund shall be created in the following manner for the purpose of paying such pensions, to wit: There shall be deducted from every payment of salary to each county probation officer three per centum (3%) of the amount thereof, then there shall be contributed annually by the county an amount equivalent to three per centum (3%) of such probation officers' salaries; to such sum there shall be added all moneys donated for the purpose of such fund, and all rewards which may be paid to any county probation officer while acting as such county probation officer, all of which moneys and rewards shall be paid over to the board of chosen freeholders of the county to be deposited in such fund. In case, at any time, there shall not be sufficient money in such pension fund to pay such pensions, the board of chosen freeholders of the county shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of such pension fund. Whenever such pension fund shall exceed an amount which the board of chosen freeholders of such county shall by resolution from time to time determine to be adequate for such pension fund, no moneys, except the three per centum (3%) specified in this article, and the moneys given or donated as herein mentioned and any aforementioned rewards, shall be paid into such fund, unless and until the amount of such fund shall fall below

Fund created.

Amount of deductions.

Moneys paid to board of chosen freeholders.

Right to withdraw.

the amount thus determined to be adequate. Any county probation officer who has paid into the pension fund for at least four years, and is no longer in the service, shall have the right to withdraw from such pension fund and shall be entitled to a refund of the moneys theretofore deducted from his salary.

Pensions unassignable.

All pensions granted under this article shall be exempt from any State or municipal tax, levy and sale, garnishment or attachment, or any other process whatsoever, and shall be unassignable.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 235

AN ACT concerning the issuance of bonds and other obligations and incurring of indebtedness by counties, cities, boroughs, towns, townships, villages and other municipalities other than school districts, and amending section 40:1–71 of the Revised Statutes.

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

Section amended.

1. Section 40:1–71 of the Revised Statutes is amended to read as follows:

New bonds.

40:1–71. A county bond resolution or municipal bond ordinance authorizing refunding bonds (in this section referred to as "new bonds") for the sole purpose of paying the cost of issuing such new bonds, amortizing any discount incurred upon the issuance of such new bonds, and refunding all of the outstanding bonds (in this section referred to

Old bonds.

as "old bonds") of a single issue of outstanding obligations originally authorized pursuant to this article or any other statute to pay, fund or refund obligations or indebtedness theretofore outstanding or unpaid (in this section referred to as "un-

derlying obligations") may, as and to the extent permitted by this section, provide for the revival of the deductions, if any, which could be taken pursuant to subsections "b" or "c" of section 40:1–77 of this Title for any bonds or notes included among the underlying obligations. A county bond resolution or municipal bond ordinance providing for such revival shall provide for the separation of the new bonds into two or more series, and it may authorize a separate series of new bonds, under an appropriate designation including the word "refunding" and generally descriptive of a purpose for which such a deduction could be taken, for any such purpose financed by said bonds or notes included among the underlying obligations. The ratio of the amount of the separate series of new bonds for each purpose for which such a deduction could be taken to the aggregate authorized amount of new bonds shall not exceed the ratio of the principal amount of the bonds or notes issued for said purpose which were included among the underlying obligations to the aggregate amount of underlying obligations originally authorized to be paid, funded or refunded by the issue of bonds of which the old bonds are part. For the purpose of determining the deductions applicable to any annual or supplemental debt statement thereafter filed, each such separate series of new bonds for a purpose for which such a deduction could be taken shall be deemed to have been authorized or issued for such purpose. Each such county bond resolution or municipal bond ordinance shall contain in substance, in addition to the matters required by paragraphs "b," "c" and "d" of section 40:1–64 of this Title stated separately as to each series of the new bonds, the matters required by paragraph "a" of said section and a description of the bonds or notes included among the underlying obligations and their respective purposes and amounts, sufficient to determine the ratios hereinabove mentioned.

Resolution to provide separation of bonds into series.

Amount of separate series.

2. This act shall take effective immediately.

Approved April 24, 1944.

CHAPTER 236

AN ACT concerning municipalities having a population of fifteen thousand or over governed under the "commission form of government law," and supplementing chapter seventy-two of Title 40 of the Revised Statutes.

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

C. 40:72-20.1. May appoint commissioner to fill vacancy.

1. The board of commissioners of any municipality having a population of fifteen thousand or over governed under the "commission form of government law" may, in case of a vacancy in the office of recorder in such municipality, appoint one of their own number to act as recorder until such vacancy shall be filled.

C. 40:72-20.2. Powers.

2. Said member of the board of commissioners shall have all of the powers of the recorder while acting as such and shall serve as recorder without additional compensation.

3. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 237

AN ACT concerning the incorporation of clubs or societies for social, intellectual and recreative purposes, and supplementing chapter fifteen of Title 15 of the Revised Statutes.

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

1. A section is hereby added to chapter fifteen of Title 15 of the Revised Statutes, as follows: Section added.

15:15–2. Clubs or societies for social, intellectual and recreative purposes may be incorporated under the provisions of Revised Statutes 15:1–1 et seq.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 238

AN ACT concerning the giving of notice to beneficiaries of the time and place where will has been probated.

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

1. Within sixty days from the date of the probate of any will, the executor, executors or administrator with the will annexed, shall notify all beneficiaries mentioned in said will, in writing, by mailing the same to the last known post-office address of such beneficiaries, that said will has been probated, and the place and date of probate thereof. C. 3:7-3.1. Notify beneficiaries that will is probated.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 239

AN ACT concerning the adoption of minor children, and amending sections 9:3–1 and 9:3–4 of the Revised Statutes and providing penalties for the violation thereof.

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

Section amended.

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

May petition court for permission to adopt child.

9:3–1. Any unmarried person of full age, a husband with his wife's consent, a wife with her husband's consent or husband and wife jointly, may petition the orphans' court of the county wherein the petitioner or any minor child may reside for permission to adopt such child and change the name of such child. No person, firm, corporation, association or agency shall be permitted to place minor children for the purpose of adoption within this State unless such person, firm, corporation, association or agency has been or shall have been approved for such purpose by the Department of Institutions and Agencies. Any person, firm, corporation, association or agency which has not been approved by the Department of Institutions and Agencies for such purpose making such placement and any person receiving such child so placed for adoption in this State shall be guilty of a misdemeanor and for the first offense may be punished by a fine not exceeding one hundred dollars ($100.00) and for each subsequent offense may be punished by a fine not exceeding one thousand dollars ($1,000.00) or imprisonment for a period not exceeding one year, or both.

Approval by Department of Institutions and Agencies.

Guilty of misdeameanor.

Department of Institutions and Agencies to maintain list.

This prohibition against placement of minor children for adoption shall not apply when such children are placed for the purpose of adoption with persons related to the said child within two

degrees of relationship. The Department of Institutions and Agencies shall establish and maintain a list of all persons, firms, corporations, associations and agencies who have been approved for the purpose of placing minor children for adoption within this State and said list shall be available for inspection by all persons interested therein.

Section amended.

2. Section 9:3–4 of the Revised Statutes is amended to read as follows:

Written consent presented with petition.

9:3–4. A written consent, acknowledged or proved in the manner required by law for deeds to real estate, shall be presented to the court with the petition for adoption, such consent to be obtained from:

Consent.

a. The child sought to be adopted if above the age of fourteen years, and, in any event, the consent of

Parents.

b. The parents of the child; or

One parent.

c. One parent if the other is dead, unknown or mentally incompetent, or has forsaken parental obligations or been divorced from the father or mother of the child because of his or her adultery or desertion or extreme cruelty; *provided, however,* that when the consent of one parent is not presented with the petition by reason of divorce, if the court granting the divorce has made an award of the custody of the child, consent of such court to the adoption must be presented with the petition; or

Proviso.

Legal guardian

d. The legal guardian of the child where both parents are dead, unknown, or mentally incompetent, or have forsaken parental obligations; *provided, however,* that evidence of guardianship shall be presented to the court with the petition; or

Proviso.

Department of Institutions and Agencies.

e. The Department of Institutions and Agencies, or any orphanage, children's home or society incorporated under the laws of this State for the care of children, appointed by the court as next friend if there is no guardian in the circumstances described in paragraph "d," such appointment to be made forthwith upon presentation of the petition; or

Children's home society.

f. Any orphanage or children's home or society incorporated under the laws of this State to care for children, or the New Jersey State Board of Children's Guardians, which has acquired the custody and control of the child, by grant of the parents for the full term of minority or by other legal means. A consent under this paragraph shall be under the common seal of the orphanage, children's home or society, or the New Jersey State Board of Children's Guardians, and signed by the president and secretary thereof.

Mentally incompetent.

g. A parent shall be deemed to be mentally incompetent within the meaning of this chapter when by reason of mental disease, feebleness of mind, or habitual intemperance, he or she is unable to understand and discharge the natural and regular obligations of care and support of the child.

Failed to support and care for child.

h. A person shall be deemed to have forsaken parental obligations within the meaning of this chapter when he or she shall have willfully and continuously either neglected or failed to perform the natural and regular obligations of care and support of the child.

Agency to furnish consent to adoption.

i. When an orphanage, children's home, society or agency outside of this State has custody and control of the child, such agency shall furnish its consent to the adoption and submit a verified copy of the release or other legal document by which they obtained such custody and control. Such consent is to be under the common seal of that orphanage, children's home, society or agency and signed by the responsible official thereof.

When consent not presented with petition.

j. Whenever the consent of either or both of the parents of the child is not presented with the petition, the court shall require that proof, by documentary evidence or oral testimony, of the reason for the failure to present such consent shall be given at the hearing.

Consent of either parent shall be valid.

k. The consent of either parent, whether the minor child be legitimate or illegitimate, shall be valid and binding irrespective of the age of such

parent at the time of granting consent for the adoption of said minor child.

3. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 240

AN ACT concerning taxation, and amending section 54:2–39 of the Revised Statutes.

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

1. Section 54:2–39 of the Revised Statutes is amended to read as follows: Section amended.

54:2–39. Any appellant who is dissatisfied with the judgment of the county board of taxation upon his appeal may appeal from that judgment to the State Board of Tax Appeals by filing a petition of appeal to the board, in manner and form to be by said board prescribed, within one month from the date fixed for final decisions by the county boards, and the State board shall proceed summarily to hear and determine all such appeals and render its judgment thereon as soon as may be. No appeal, however, shall lie with the State Board of Tax Appeals where the appeal to the county board of taxation has been (a) withdrawn at the hearing, or previously thereto in writing by the appellant or his agent; (b) dismissed because of appellant's failure to prosecute the appeal at a hearing called by the county tax board; (c) settled by mutual consent of the taxpayer and assessor of the taxing district. This amendment, however, shall not waive the right of the appellant or his agent to appeal before the State Board of Tax Appeals in the event that the appeal was "dismissed without prejudice" by the county board of taxation.

May appeal from judgment by petition of appeal.

Appeal not to be in certain cases.

Approved April 24, 1944.

CHAPTER 241

AN ACT concerning grants of assistance to blind persons in the State of New Jersey, and amending sections 30:6–3, 30:6–11, 30:6–13 and 30:6–16 and repealing sections 30:6–6, 30:6–7 and 30:6–12 of the Revised Statutes.

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

Section amended.

1. Section 30:6–3 of the Revised Statutes is amended to read as follows:

30:6–3. Any person of either sex, above the age of eighteen years, who by reason of blindness is unable to earn sufficient money to provide for the necessities of life, and who has no relatives or other person able to provide and legally responsible for his maintenance, excepting that grandchildren even if able to provide shall not be legally responsible for his maintenance, and who, if not relieved, would lack adequate support, is a proper person to make application to the welfare board of the county wherein he resides for the relief granted by this article.

Resident of state one year.

Any person making application under the terms of this article shall first have been a resident of this State continuously for one year immediately prior to the making of such application.

Welfare board to investigate facts.

Whenever anyone deemed a proper person to make application for relief as provided for in this article shall make application to the welfare board, the welfare board shall fully investigate and establish the facts as set forth in the petition and as outlined above, as well as other facts it deems necessary, including the county of the State in which the applicant has last resided continuously for one year. Upon completion of its investigation the welfare board shall then present a recommendation, together with a copy of the application and

record of its investigation, to the commission for relief for the person named in order that the commission may ameliorate the condition of the blind person named, in the manner set forth in this article; but the sum asked for or granted shall be sufficient when added to all other income and support of the individual to provide such person with a reasonable subsistence compatible with decency and health.

Welfare board may order petitioner to appear before it.

The welfare board may in its discretion order the petitioner to appear before it or its representative appointed to act with the commission in establishing the facts set forth in the petition, or may make such further investigation as it deems necessary. Whenever the facts set forth in the petition shall have been fully established, the welfare board shall recommend relief in the amount provided by law.

Commission shall supervise administration by counties.

The commission shall supervise the administration by the counties of the relief made available hereunder, and shall establish and enforce such rules and regulations as may appear necessary or desirable to carry out the provisions of this act. All such rules and regulations shall be binding upon the county departments.

Commission to establish rules and regulations.

The commission shall further establish and enforce reasonable rules and regulations governing the custody, use and preservation of the records, papers, files and communications of the department. The use of such records, papers, files and communications by any other agency or department of government to which they may be furnished shall be limited to the purpose for which they are furnished and by the provisions of the law under which they may be furnished.

Relief granted expended on behalf of person named in petition.

All relief granted under this article is granted with the understanding that the amount is to be available only for the use of the commission, which shall expend it only on behalf of the person named in the petition and for whom the relief is granted.

Appeal to State board.

Any applicant or recipient denied relief, aggrieved because of a welfare board decision or delay in making same or having other cause for ap-

peal from the decision of the commission or of the county welfare board, may appeal to the State board or to its designated representative in the manner prescribed by the State board, and shall be afforded reasonable notice and opportunity for a fair hearing by the State board. All decisions of the State board shall be final and shall be binding upon and shall be complied with by the county welfare board.

Certiorari.

Nothing contained herein shall be construed to affect the right of any applicant to a writ of certiorari.

Section amended.

2. Section 30:6–11 of the Revised Statutes is amended to read as follows:

Commission may grant funds.

30:6–11. When, upon investigation, the commission finds that any blind person who has been a resident of this State for one year immediately preceding the date of application or who has lost his sight in this State, or who was a resident of this State prior to April eighth, one thousand nine hundred and twenty-one, may be enabled to earn his living in part or in whole, by a course of special instruction or training, the commission may grant sufficient funds to, or in behalf of, a blind individual for the purpose of defraying the cost of board, tuition, travel expenses, tools, and other necessary training charges.

State Board of Control empowered to enter into co-operative agreement with Federal Government.

The State Board of Control of Institutions and Agencies, or its duly authorized representative, is hereby empowered to negotiate with and enter into co-operative agreements with the Federal Government for the purpose of receiving contributions therefrom for the vocational rehabilitation of the blind and any funds so received shall be paid into the State treasury and held for the use of the commission to be used, together with funds obtained from the State and from other sources for the vocational rehabilitation of the blind, and for the payment and reimbursement due and growing out of the commission's administration of the State plan for the rehabilitation of the blind which shall include the setting up of necessary rules, regulations,

standards, and policies for promoting and carrying through the vocational rehabilitation of blind individuals. Any Federal funds received for administrative purposes shall be made available to the commission as part of its annual appropriation.

Section amended

3. Section 30:6–13 of the Revised Statutes is amended to read as follows:

Commission may expend for medical treatment.

30:6–13. If the commission, upon examination, finds that a blind individual may have any disability benefited or removed by proper surgical operation, or medical treatment, according to the evidence of a qualified specialist, the commission may expend for such surgical operation or medical treatment those funds which may be available for the purpose in order to treat, remedy, or remove such disability.

Section amended.

4. Section 30:6–16 of the Revised Statutes is amended to read as follows:

Appropriation may be applied for instruction.

30:6–16. An annual sum, the per capita amount of which for each pupil shall be fixed by the State House Commission, when appropriated by the Legislature, may be applied by the commission mentioned in section 30:6–1 of this Title for the instruction or placing for instruction in a suitable and convenient institution or elsewhere, of such blind persons or partially blind inhabitants of the State as the board may select.

Blind babies may be sent to suitable institutions.

Whenever deemed necessary by the commission blind babies and young children too frail or backward to enter other institutions for the blind shall be sent to some convenient and suitable institution in the State where special hospital care, instruction and support can be provided but the rate to be paid by the State including clothing and necessary transportation shall not exceed the rate fixed by the State House Commission.

Rate to be paid fixed by State House Commission.

The rate to be paid for any blind child placed in an institution outside the State, including clothing shall not exceed the per capita rate fixed by the State House Commission.

Sections repealed.

5. Sections 30:6–6, 30:6–7 and 30:6–12 of the Revised Statutes are repealed.

6. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 242

AN ACT to provide for the appointment of a conservator under certain circumstances for property of a person serving in or with the armed forces of the United States.

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

C. 3:42A.1 Person officially reported missing.

1. Whenever a person (hereinafter referred to as absentee) serving in or with the armed forces of the United States, or a person serving as a merchant seaman, has been officially reported or listed as missing, or missing in action, or interned in a neutral country, or beleaguered, besieged or captured by an enemy, has an interest in any form of property in this State or is a legal resident of this State and has not provided an adequate power of attorney authorizing another to act in his behalf in regard to such property or interest, then, the orphans' court of the county of such absentee's legal domicile or of the county where such property is situated, upon petition alleging the foregoing facts and showing the necessity for providing care of the property of such absentee, made by any person who would have an interest in the property of the absentee were such absentee deceased, upon an order to show cause directed to the next of kin of the absentee as provided by law for the administration of an estate and, in the case of real estate, to such other persons as would be the heirs at law of the absentee were the absentee deceased,

or after notice to, or on receipt of proper waivers from, said next of kin and such other persons, may, after finding the facts to be as aforesaid, appoint a conservator to take charge of the absentee's estate, under the supervision and subject to the further orders of the court.

C. 3:42A.2. Court may appoint conservator.

2. The court shall have full discretionary authority to appoint any suitable person as such conservator and may require such conservator to post an adequate surety bond and to make such reports as the court may deem necessary. The conservator shall have the same powers, authority and duties as the guardian of the property of an infant and may be required to account in the orphans' court appointing him.

Powers of conservator.

C. 3:42A.3. Court may direct termination of conservatorship.

3. At any time upon petition signed by the absentee, or on petition of an attorney-in-fact acting under an adequate power of attorney granted by the absentee, the court shall direct the termination of the conservatorship and the transfer of all property held thereunder to the absentee or to the designated attorney-in-fact. Likewise, if at any time subsequent to the appointment of a conservator it shall appear that the absentee has died and an executor or administrator has been appointed for his estate, the court shall direct the termination of the conservatorship and the transfer of all property of the deceased absentee held thereunder to such executor or administrator and to such other persons as are entitled thereto. Nothing in this section shall prevent the termination of a conservatorship upon release from the absentee, his executor or administrator or other person entitled to said property.

Approved April 24, 1944.

New Jersey State Library

CHAPTER 243

AN ACT concerning notaries public and vesting in the Secretary of State certain powers and duties respecting said officers.

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

C. 52:7-1.1. Notaries appointed by Secretary of State.

1. All notaries public shall hereafter be appointed by the Secretary of State but shall be commissioned by the Governor as heretofore. The fees required to be paid for the issuance of any commission shall be paid to the Secretary of State who shall account to the State Treasurer for the same.

Statement addressed to Secretary of State.

The statement required to be made and signed pursuant to section 52:7–8 of the Revised Statutes shall be addressed to the Secretary of State and filed in his office and in such other offices as is now required by law.

C. 52:7-1.2.

2. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved April 24, 1944.

CHAPTER 244

AN ACT to validate and confirm deeds made by fiduciaries wherein the name of the grantee has been omitted.

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

Name of grantee omitted.

1. Where in any deed of conveyance of real property heretofore made by a fiduciary, who has signed the said deed of conveyance and received the consideration provided for in said deed, and where

his signature has been duly acknowledged as required by law, but where in the premises, stating part or body of the deed of conveyance the name of the grantee has been omitted, but such name has been included on the backer of said deed, such deed shall be as good and valid and shall vest an estate in fee in the grantee to the same effect as if he had been named as grantee in the premises, stating part or body of said deed; *provided, however,* that such deed is good and valid in all other respects, and said grantee has been in possession of the premises therein described and has exercised all the incidents of ownership of said premises continuously for a period of at least twenty years from the date of such deed. Proviso.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 245

AN ACT concerning municipalities, and amending section 40:52–1 of the Revised Statutes.

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

1. Section 40:52–1 of the Revised Statutes is amended to read as follows: Section amended.

40:52–1. The governing body may make, amend, repeal and enforce ordinances to license and regulate: Governing body may regulate.

a. All vehicles used for the transportation of passengers, baggage, merchandise, and goods and chattels of every kind, and the owners and drivers of all such vehicles; and the places and premises in which or at which the different kinds of business or occupation mentioned herein are carried on and conducted. Nothing herein contained shall be con- Vehicles used for transportation.

strued as modifying or repealing any of the provisions of chapter four of the Title Public Utilities (§48:4–1 et seq.);

Autobuses, and owner and driver of such vehicles.

b. Autobuses, and the owners and drivers of all such vehicles, and to fix the fees for such licenses, which may be imposed for revenue, and to prohibit the operation of all such vehicles in the public streets or places of such municipality, unless such ordinances are complied with, whether such vehicles are operated over routes wholly or partly within the territorial limits of such municipality; the powers conferred by this section shall not be in substitution of but in addition to whatever other right, power and authority any such municipality may at any time have as to licensing, regulating, or control of the operation of such autobuses, commonly called jitneys, and this section shall not be construed as modifying or repealing any of the provisions of chapter four (§48:4–1 et seq.) or article three of chapter sixteen (§48:16–23 et seq.) of the Title Public Utilities;

Cartmen, expressmen and peddlers.

c. Cartmen, expressmen, baggagemen, porters, common criers, hawkers, peddlers, employment agencies, pawnbrokers, junk shop keepers, junk dealers, motor vehicle junk dealers, street sprinklers, bill posters, bill tackers, sweeps, scavengers, itinerant vendors of merchandise, medicines and remedies; and the places and premises in which or at which the different kinds of business or occupation mentioned herein are conducted and carried on;

Hotels, boarding houses.

d. Hotels, boarding houses, lodging and rooming houses, and all other places and buildings used for sleeping and lodging purposes, restaurants and all other eating places, and the keepers thereof;

Automobile garages and swimming pools.

e. Automobile garages, dealers in secondhand motor vehicles and parts thereof, bathhouses, swimming pools, and the keepers thereof;

Theatres and concert halls.

f. Theatres, cinema and show houses, opera houses, concert halls, dance halls, pool or billiard parlors, bowling alleys, exhibition grounds, and all other places of public amusement, circuses and

traveling or other shows, plays, dances, exhibitions, concerts, theatrical performances, and all street parades in connection therewith;

g. Lumber and coal yards, stores for the sale of meats, groceries and provisions, dry goods and merchandise, and goods and chattels of every kind, and all other kinds of business conducted in the municipality other than herein mentioned, and the places and premises in or at which the business is conducted and carried on; street stands for the sale or distribution of newspapers, magazines, periodicals, books, and goods and merchandise or other articles; Lumber and coal yards, stores for sale of merchandise.

h. Street signs and other objects projecting beyond the building line, into or over any public street or highway; Street signs.

i. Auctioneers and their business, whether the auctioneers be real estate brokers engaged in selling at auction or real estate auctioneers licensed by the New Jersey Real Estate Commission; fix their fees, and license and regulate public auctions; make such regulations, as the governing body of the municipality shall deem necessary, to protect the public against fraud at public auction sales, and for the safety and protection of the property of the municipality and its inhabitants, including the power to require from auctioneers a bond to the municipality, not exceeding the penal sum of five thousand dollars ($5,000.00), conditioned as the governing body shall require; Auctioneers.

j. Sales of goods, wares and merchandise to be advertised, held out or represented, or which are advertised, held out or represented, to the public, by any means, directly or by implication, as forced sales at reduced prices or as insurance, bankruptcy, mortgage foreclosure, insolvency, removal, loss or expiration of lease or closing out sales, or as assignees', receivers' or trustees' sales or as sales of goods distrained or as sales of goods damaged by fire, smoke or water, except any sale which is to be held under a judicial order, judgment or decree or a writ issuing out of any court or to enforce any Forced sales at reduced prices.

lawful lien or power of sale whether by judicial process or not or by a licensed auctioneer; to make such regulations governing the advertisement, holding out or representing to the public of such sales, and the conduct thereof, as the governing body of the municipality shall deem necessary to protect the public against fraud; to prohibit the advertising, holding out or representing to the public of any sale as being of the character above described which is not of such character and to fix license fees for the conduct of such sales and to impose penalties for the violation of any such ordinance.

Gypsies.

k. Roving bands of nomads, commonly called gypsies; and,

Opening and closing of barber shops.

l. The opening and closing of barber shops on Sunday and legal holidays, and the hours of opening and closing on week days, and to impose a penalty for the violation of any such ordinance, not exceeding a fine of twenty-five dollars ($25.00), or imprisonment in the municipal lockup, or in the county jail, not exceeding ten days.

Not to regulate any person holding a license issued by a State agency.

Nothing in this chapter contained shall be construed to authorize or empower the governing body of any municipality to license or regulate any person holding a license or certificate issued by any department, board, commission, or other agency of the State; *provided, however,* that the governing body of a municipality may make, amend, repeal and enforce ordinances to license and regulate real estate auctioneers or real estate brokers engaged in selling at auction and their business as provided in this section despite the fact that such real estate auctioneers or brokers may be licensed by the New Jersey Real Estate Commission and notwithstanding the provisions of this act or any other act.

Proviso.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 246

AN ACT concerning municipalities, and amending section 40:47–53 of the Revised Statutes.

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

1. Section 40:47–53 of the Revised Statutes is amended to read as follows: Section amended.

40:47–53. A fireman, a member of any fire department of this State under municipal control, shall be entitled to receive an exempt fireman certificate as herein provided, when from the records of said department, filed with the clerk of said municipality as hereinafter provided, it appears that at the time said fireman was appointed, confirmed or elected a fireman by the governing body of said municipality he was a resident of the municipality, a citizen of the United States, of good moral character, between the ages of twenty-one and thirty-five years, and that during seven years he has performed sixty per centum (60%) of fire duty in that department during each of said seven years. For the purposes of this section, time spent by any fireman in the active military or naval service of the United States, heretofore and subsequent to July first, one thousand nine hundred and forty, or heretofore subsequent to said date and hereafter, in time of war, shall be considered as time spent in fire duty. Exempt fireman certificate. Time spent in military service.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 247

AN ACT concerning taxation, and amending section 54:5–6 of the Revised Statutes.

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

Section amended.

1. Section 54:5–6 of the Revised Statutes is amended to read as follows:

Taxes lien on land on which assessed.

54:5–6. Taxes on lands shall be a lien on the land on which they are assessed on and after the first day of January of the year for which the taxes are assessed, and all interest, penalties, and costs of collection which thereafter fall due or accrue shall be added to and become a part of such lien.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 248

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-four, and regulating the disbursement thereof," approved March twenty-seventh, one thousand nine hundred and forty-three.

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

Appropriation for purchase of riparian rights and dock.

1. The Board of Commerce and Navigation is hereby appropriated the sum of one thousand two hundred dollars ($1,200.00) which shall be paid to

Samuel Engle of the county of Cumberland for the purchase of certain riparian rights and a dock which is constructed thereon.

2. The appropriation therein authorized shall be expended in the same manner and subject to the same conditions as appropriations authorized in the act to which this act is a further supplement.

3. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 249

AN ACT concerning the tenure of certain war veterans in public office, employment or position.

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

1. No person now holding any employment, position or office under a commission, elected or appointed by the governing bodies of two or more municipalities, which, by legislative authority, have entered into an agreement for the election or appointment of such commission, whose term of employment, office or position is not now fixed by law, who has served as a soldier, sailor, marine or nurse, in any war of the United States and has been honorably discharged from the service of the United States, prior to such employment in or occupancy of such position or office, shall be removed from such employment, position or office, except for good cause shown after a fair and impartial hearing, but such person shall hold his employment, position or office during good behavior, and shall not be removed for political reasons. C. 38:16-4.

For the purposes of this section no term of office, position or employment of any person shall be deemed to be fixed by law or coterminous with that

of the employing or appointing board or body by reason of the fact that such person was or is appointed or employed by a noncontinuous board or body.

C. 38:16-5. 2. No such commission shall abolish any position or office held by a person mentioned in paragraph one of this act, or change the title of such position, office or employment, or reduce the emoluments thereof for the purpose of terminating the service of such person.

3. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 250

AN ACT to amend "An act concerning the purchase by counties, municipalities and school districts of war savings bonds and other obligations of the United States of America," approved July twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 297), as said title was amended by chapter two hundred eight of the laws of one thousand nine hundred and forty-three.

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

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

C.App.A4-46.3. Provisions to remain in force for duration of war. 3. This act shall take effect immediately and the purchase provisions shall remain in force for the duration of the present war.

2. This act shall take effect immediately.

Approved April 24, 1944.

CHAPTER 251

AN ACT concerning elections, and amending section 19:31–11 of the Revised Statutes.

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

1. Section 19:31–11 of the Revised Statutes is amended to read as follows: Section amended.

19:31–11. a. In counties other than counties of the first class, change of residence notice shall be made either by a written request forwarded to the commissioner by mail or by calling in person at the office of the commissioner or the municipal clerk, as the case may be. The commissioner shall provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district in any municipality having permanent registration within the same county. Copies of these notices shall also be available at the office of the municipal clerk in each municipality having permanent registration other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his office at the time. These notices shall be printed upon cards, shall contain a blank form showing where the applicant last resided and the address and exact location to which he has moved and shall have a line for his signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and, if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so

Change of residence.

Commissioner to provide notices in card form.

Copies of notice available at office of municipal clerk.

Notices to be on printed cards.

Signature compared.

Notice to appear.

moved. If the commissioner is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by registered mail with return card request to the registrant at his new address directing him to appear at a time to be fixed in the notice not less than ten days from the date thereof at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If the registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner, or if the notice is returned as not delivered or if it is not returned as undelivered and no return registry card is received, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fortieth day preceding any election.

Registration form placed in inactive file.

Proviso.

Change of residence to be made by written request.

b. In counties of the first class change of residence notice shall be made either by a written request forwarded to the commissioner by mail or by calling in person at the office of the commissioner or the municipal clerk, as the case may be.

Commissioner to provide notices in card form.

The commissioner shall provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district in any municipality having permanent registration within the same county. Copies of these notices shall also be available at the office of the municipal clerk in each municipality having permanent registration other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his office at the time. These notices shall be printed upon cards, shall contain a blank form showing

Notices on printed cards.

where the applicant last resided and the address and exact location to which he has moved and shall have a line for his signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so moved. If the commissioner is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by registered mail with return card request to the registrant at his new address directing him to appear at a time to be fixed in the notice, not less than ten days from the date thereof, at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If such registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner or if the notice is returned as not delivered or if it is not returned as undelivered and no return registry card is received, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fortieth day preceding any election.

Signature compared.

Notice to appear.

Registration form placed in inactive file.

Proviso.

c. In any county any voter who shall move within the same county after the time above prescribed for filing an application for change of residence without having made application for change of residence, shall be permitted to vote in the district from which he has moved, upon signing an affidavit which shall set forth (1) the date upon which he

If voter moves within same county.

Affidavit.

moved, (2) the address from which he moved, (3) the address to which he moved, and such affidavit shall constitute a transfer to the said new residence for any subsequent election. The county clerk shall furnish to the election board of each district form affidavits for this purpose and the said district boards shall turn over all signed affidavits to the commissioner.

County clerk to furnish form affidavits.

2. This act shall take effect immediately.

Approved April 25, 1944.

CHAPTER 252

AN ACT relating to the salaries of certain employees of county clerks in counties of the second class, and supplementing chapter thirty-eight of Title 40 of the Revised Statutes.

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

C. 40:38-29. Salary.

1. In counties of the second class, having a population of not less than two hundred thousand and not more than two hundred sixty thousand, and in counties of the second class having a population of not less than three hundred twenty-five thousand and not more than four hundred thousand, employees of the county clerk designated and assigned by the county clerk as court clerks for service in the county courts shall be paid a minimum annual salary or compensation of three thousand dollars ($3,000.00) which shall be increased one hundred dollars ($100.00) annually until a maximum annual salary of three thousand five hundred dollars ($3,500.00) is received.

C. 40:38-30. Act not to reduce salary of court clerk.

2. Court clerks who are now receiving less than the prescribed minimum annual salary shall be given such minimum annual salary from and after

the first day of the month following the effective date of this act. This act shall not be construed as reducing the annual salary of any court clerk.

3. All acts or parts of acts inconsistent with the provision of this act are hereby repealed. C. 40:38-31.

4. This act shall take effect immediately.

Approved April 25, 1944.

CHAPTER 253

AN ACT providing for the retirement of policemen and firemen of the police and fire departments in municipalities of this State, including members of the fire departments of any fire district located in any township and including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire departments, and the widows, children and sole dependent parents of deceased members of said departments, and supplementing Title 43 and amending sections 43:16–1, 43:16–2, 43:16–3, 43:16–4, 43:16–5, 43:16–6, 43:16–7 and repealing 43:16–11 of the Revised Statutes.

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

1. Section 43:16–1 of the Revised Statutes is amended to read as follows: Section amended.

43:16–1. In all municipalities any active member of a police department or of a paid or part paid fire department or of a county police department including active members of the paid or part paid fire departments of any fire district located in any Period of service.

township which has adopted the provisions of this act, who shall have served honorably in the police or fire department for a period of twenty-five years and reached the age of fifty-three years, or any employee member of any such department who shall have served honorably in such department for a period of twenty-five years and who has reached the age of sixty years shall, on his own application, be retired on a service retirement pension equal to one-half of his average salary. Any active member of the police or paid or part paid fire department including active members of the paid or part paid fire department of any fire district as aforesaid who shall have served honorably for a period of twenty-five years and reached the age of sixty-five years and any employee member of any such department who shall have served honorably in such departments for a period of twenty-five years and reached the age of seventy years shall be retired on a service retirement pension equal to one-half of his average salary.

Age.

Amount of pension.

Section amended.

2. Section 43:16–2 of the Revised Statutes is amended to read as follows:

Permanently disabled.

43:16–2. Any member of such police or paid or part paid fire department who shall have received permanent disability in the actual performance of duty shall be retired upon a service disability pension equal to one-half of his average salary.

Permanent disability after five years of service.

A member of any such department who shall have served honorably for at least five years, desiring to retire because of permanent disability not arising out of the performance of duty, shall upon approval of his application or the application of his employer be retired on a nonservice disability pension equal to thirty-three and one-third per centum (33⅓%) of his average salary.

Application for pension.

A member of any such department seeking to retire on a service disability or nonservice disability pension shall make application to the pension commission in writing; or the commission may, upon application of the employer, cite any such member of any such department before it to ex-

amine such member concerning his alleged disability and in either case the pension commission shall call to its assistance the aid of a surgeon or physician, and the member may likewise call to his aid a regularly licensed and practicing physician or surgeon. The president of the board of pension commissioners is authorized to administer oaths to such physicians or surgeons or any other person called with respect to the matter before the commission. If the two physicians or surgeons so called fail to agree upon the physical or mental condition of the member, the pension commission may call a third and disinterested, licensed and practicing physician or surgeon, and the determination of a majority of such surgeons or physicians, after they shall have been duly sworn in the case, shall be reduced to writing and signed by them. The determination shall specify whether or not such member is permanently disabled from performing his usual duty and any other available duty in the department which his employer is willing to assign to him and whether or not his permanent disability occurred in the actual performance of duty. The pension commission shall determine by resolution whether the member is fit for the performance of his usual duty or such other duty in his department which his employer is willing to assign to him and if it is determined that he is unfit for such duty or there is no available duty which he could perform then he shall be entitled to the benefits of this subtitle. In determining whether the member should be retired on a disability pension, the pension commission shall consider the physicians' and surgeons' determination in arriving at its decision.

Examination.

President authorized to administer oaths.

Determination of physicians.

If not fit for duty entitled to benefits.

The pension commission shall require any member who is less than fifty-three years of age and who shall have been retired on a service disability or nonservice disability pension to submit to a physical examination twice a year for a period of three years and once a year thereafter in order to determine whether or not the disability which existed at

Submit to a physical examination.

the time that he was retired still exists. Such examination shall be made in accordance with the same procedure in the instance of the examination made by virtue of a member's application for retirement for disability. If the physicians or surgeons or a majority of them report that the member is able to perform either his former usual duties, if such be available, or such other available duties in the department which his employer shall assign to him, the pensioner shall report for such duty within ten days, and be reinstated to duty at the same salary he was receiving at the time of his retirement and thereupon his pension payments shall cease. If the pensioner fails to submit to a medical examination or fails to return to duty within ten days after receiving either request or within such further time as may be allowed by the commission for valid reason, his pension payments shall be discontinued during such default. Any pensioner who may be of the opinion that he has recovered from the disability which existed at the time of his retirement may request and be granted an examination by the commission at any time and if it be found by the physicians or surgeons or a majority of them that he be fit for his usual duty or any other available duty in the department which his employer is willing to assign to him and the commission concurs therein then he shall be reinstated thereto, if such be available, at the same salary that he was receiving at the time of his retirement and thereupon his pension payments shall cease.

Pensioner to report for duty.

Pension discontinued on failure to report for duty.

Reinstated to duty.

Section amended.

3. Section 43:16–3 of the Revised Statutes is amended to read as follows:

Widow to receive pension.

43:16–3. The widow of a member of such police or paid or part paid fire department, who shall have been retired on a service retirement pension, or who shall have continued in service after becoming eligible for such pension and shall not have lost his life in the actual performance of his duty, or who shall have been retired on a service disability pension, and which member shall have paid

into the fund the full amount of his annual assessments or contributions and if he shall have been retired on pension continued so to do after his retirement and until his death, shall, if she married her husband before the date of his retirement and before he reached fifty years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried equal to one-half of the average salary of her deceased husband but not to exceed the sum of one thousand dollars ($1,000.00) annually for the use of herself and the children of her deceased husband, if any, under sixteen years of age.

Amount of pension.

The widow of a member who shall not have been retired but shall die before becoming eligible for a service retirement pension while still employed by the department and shall not have lost his life in the actual performance of his duty, and the widow of a member who shall have been retired on a nonservice disability pension and which member shall have paid into the fund the full amount of his annual assessments or contributions until his death, shall, if she married her deceased husband before the date of his retirement and before he reached fifty years of age, and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension, for so long as she remains unmarried, equal to one-third of the average salary of her deceased husband, but not to exceed the sum of one thousand dollars ($1,000.00) annually, for the use of herself and the children of her deceased husband, if any, under sixteen years of age.

Widow of member not retired.

Amount of pension.

If a member who shall have been retired on a service retirement pension or a member who shall have continued in service after becoming eligible for such pension and shall not have lost his life in the actual performance of his duty or a member who shall have been retired upon a service disability or nonservice disability pension, or a member who dies while still employed by the department

but who shall not have lost his life in the actual performance of his duty, leaves no widow, but leaves a child or children under sixteen years of age, the pension which the widow would have received had she survived such member shall be paid to those children who have not reached sixteen years of age in equal shares, if there be three or more of them, if there be only two they shall be paid twenty dollars ($20.00) each monthly and if there be only one, the child shall be paid twenty-five dollars ($25.00) monthly, until the age of sixteen years is reached but in no event are the pensions paid to the children to exceed in the aggregate the sum of one thousand dollars ($1,000.00) annually.

Children under sixteen.

Amount paid.

If the member dies leaving no widow and no children under sixteen years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed five hundred dollars ($500.00) per annum if there be one, or exceed three hundred seventy-five dollars ($375.00) per annum each if there be two.

Pension paid to dependent parent.

Amount.

4. Section 43:16–4 of the Revised Statutes is amended to read as follows:

Section amended.

43:16–4. The widow of any member of such police or paid or part paid fire department, who shall have paid into the fund the full amount of his annual assessments or contributions and shall have lost his life in the actual performance of his duty, shall, if she married her husband before the date of his retirement and before he reached fifty years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried equal to one-half of the member's average salary, but not to exceed the sum of one thousand dollars ($1,000.00) annually. If there be a widow and children of the member, the pension shall be paid to the widow for the use of herself and such children. If there be such children and no widow, the pension shall be paid to those children

Widow to receive pension.

Pension paid to children.

who have not reached sixteen years of age, in equal shares, if there be three or more children; if there be two children, they shall be paid thirty dollars ($30.00) each monthly; if there be but one child, he shall be paid forty dollars ($40.00) monthly; but in no event shall the pensions paid to the children exceed in the aggregate the sum of one thousand dollars ($1,000.00) annually. If there be no widow and no such children under sixteen years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed five hundred dollars ($500.00) per annum if there be one, or exceed three hundred seventy-five dollars ($375.00) per annum each if there be two. No widow shall be entitled to a pension who shall have married the member after he shall have reached fifty years of age, or after the date of his retirement, or while he was suffering from the last illness which resulted in his death, and no children of both such widow and member, whether natural or adopted, shall be entitled to a pension. If a widow entitled to a pension remarries, the pension shall cease and shall not be paid to the widow or her children.

Amount of pension.

5. No pension under this act shall be paid to the child or children of a female member unless it is proven to the satisfaction of the pension commission that such child or children would otherwise become a public charge.

C. 43:16-4.1. Pension not paid to female member unless they might become a public charge.

6. Section 43:16–5 of the Revised Statutes is amended to read as follows:

Section amended.

43:16–5. For the purpose of paying such pensions a fund shall be created as follows:

Creation of fund.

(a) There shall be deducted from every payment of salary to each member of the police department and of a paid or part paid fire department in such municipality five per centum (5%) of the amount thereof if he entered the service on or before attaining the age of thirty-five years, and if he enters the service after attaining the age of thirty-five years the percentage shall be increased to such an

Amount of deductions.

amount as shall be determined by the pension commission to correspond to the risk arising by his additional age.

Amount raised by municipality.

(b) The municipality shall raise by taxation and pay into the fund yearly an amount equal to five per centum (5%) of the total salaries paid to the members of the police department and of a paid or part paid fire department and may raise by taxation and pay into the fund yearly such additional amount or amounts as, upon the recommendation of the pension commission of the municipality, the governing body shall determine to be necessary to maintain the fund.

Certain moneys added to fund.

(c) There shall be added to the fund all fines imposed on any member of the police department and of a paid or part paid fire department, moneys given or donated to the funds, moneys deducted from the salary of any member of the police or fire department because of absence or loss of time and one-half of all rewards paid for any purpose.

(d) In addition, there shall be added one-half of the two per centum (2%) tax paid to the State Tax Commissioner, pursuant to the provisions of chapters seventeen and eighteen of the Title Taxation (sections 54:17–1 et seq. and 54:18–1 et seq.), from insurance companies of other States and foreign countries on premiums of insurance against automobile liability, automobile property damage, automobile collision and automobile fire and theft insurance risks in this State. The State Tax Commissioner shall distribute the funds so collected as follows: There shall first be deducted one per centum (1%) of such fund, which shall be distributed pro rata among the several counties now or hereafter maintaining county police pension funds, payment being made to the county treasurer of such counties for the use of such funds. The balance of the fund remaining in the hands of the commissioner shall be distributed among the municipalities now or hereafter maintaining pension funds pursuant to this subtitle, in proportion to the membership of each of such funds on December thirty-first

of the year preceding the distribution, as such membership bears to the total membership of all such funds on that date. Every such pension fund commission shall annually, on or before March first, make a report to the State Tax Commissioner, subscribed and sworn to by its president and secretary or treasurer, showing the membership of the fund on December thirty-first of the preceding year. For the purposes of this section a widow or dependent children or parent of a deceased member drawing a pension at the time shall be considered as one member. Any pension fund commission failing to make the report in any year shall forfeit its right to share in the distribution for that year and the State Tax Commissioner shall be relieved of any responsibility in that case.

If there is not sufficient money in the pension fund, the governing body shall include in the tax levy for the next fiscal year a sum sufficient to meet the requirements of the fund for the time being.

Section amended.

7. Section 43:16–6 of the Revised Statutes is amended to read as follows:

Pension commission of five members.

43:16–6. In all municipalities in which this subtitle takes effect, where both lawfully established paid police and paid or part paid fire departments are in existence, the members of which are entitled to membership in the pension fund, there shall be established a pension commission of five members, consisting of the mayor or other chief executive of the municipality, the chief financial officer of the municipality, but if the mayor or other chief executive and the chief financial officer are one and the same person then the governing body shall designate one of its members to act as a member of the commission, one policeman of the police department and one fireman of the fire department, which policeman and fireman shall be nominated at a meeting or meetings held by the members of each department in November and elected by them at a meeting to be held about the middle of December of each year, at a date to be fixed by each body. The term of the members of the commission elected

by the members of the police and fire departments shall be two years. The fifth member of the commission shall be a citizen who is not holding office under the municipality, and shall be selected by the other four members of the pension commission, and shall hold office for the term of one year. The commission shall organize at a meeting held during the first week in January of each year which meeting shall be called by the mayor or other chief executive of the municipality upon at least three days' written notice to the persons entitled to become members of said commission.

Organization meeting.

Pension commission of three members.

In municipalities in which there is not in effect a fund for the retirement or pensioning of both policemen and firemen, but one or the other, there shall be established a pension commission of three members, consisting of the mayor or other chief executive of the municipality, a member of the department having a fund for the purposes named herein, who shall be nominated and elected in the same manner as provided in this section where the pension commission consists of five members, and who shall hold office for the term of two years, and a third member who shall be a citizen, not holding office under the municipality and who shall be selected by the other two members of the pension commission, and shall hold office for the term of one year. For police officers having supervision or regulation of traffic upon county roads, there shall be established a pension commission of three members consisting of the director of the board of chosen freeholders of the county, a member of such police force, who shall be nominated and elected in the manner provided in this section where the pension commission consists of five members, and who shall hold office for the term of two years, and a third member who shall be a citizen not holding office under the board of freeholders, and shall be selected by the other two members of the pension commission, and shall hold office for the term of one year.

In case of vacancy for any cause, the commission may fill it until the next election. The commission shall hold its first annual meeting during the first week of January of each year, and elect its president from among its members, and also a secretary who need not be a member of the commission and whose compensation the commission may fix.

Annual meeting.

8. Section 43:16–7 of the Revised Statutes is amended to read as follows:

Section amended.

43:16–7. The pension commission shall have sole control and management of the fund and of the retirement of members of the departments, and control of the granting of pensions and may make all necessary rules and regulations with regard thereto the same not inconsistent with this subtitle. All moneys belonging to the pension fund shall be received and paid over to the treasurer of the municipality, whose official bond shall cover the same. No moneys shall be paid out of the fund except upon the warrant of the commission, signed by its president and secretary. All pensions granted under this chapter shall be exempt from execution, garnishment, attachment, sequestration or other legal process. All moneys not needed for the immediate payment of the pensions shall be invested by the pension commission in interest-bearing bonds of the United States or of this State or of any county or municipality of this State, or in shares or share accounts of any building and loan association organized under the laws of this State or any Federal savings and loan association organized under the laws of the United States whose principal office is located in New Jersey; *provided,* that the accounts of the association whether State or Federally chartered are insured by the Federal Savings and Loan Insurance Corporation, pursuant to Title IV of an Act of Congress entitled "National Housing Act," approved June twenty-seventh, one thousand nine hundred and thirty-four, as now enacted or as hereafter supplemented or amended, or by any other corporation hereafter created or organized under the laws of the United

Commission to have control and management of fund.

Pensions exempt from execution.

Moneys invested in interest-bearing bonds.

Proviso.

States, and which corporation is an instrumentality of the United States; *provided, however,* that such investment in shares or share accounts in any such association shall not exceed the aggregate amount for which any member or investor of such association shall be insured.

Section repealed.

9. Section 43:16-11 of the Revised Statutes is repealed.

C. 43:16-14. Compensation paid under workmen's compensation law deducted from pension.

10. Any compensation paid under the workmen's compensation law (chapter 15 of Title 34 of the Revised Statutes of New Jersey) to a member on account of a happening to the member, shall be deducted from any pension or benefit payments to a member as provided by this act. Should the compensation payment be made in a lump sum, then the pension or benefit payments shall cease and be deducted until such deductions shall equal the amount of such compensation. Should the compensation be paid in periodic payments, then the amount of such compensation payments shall be deducted from the pension or benefits payable under this act, until the deductions shall equal the amount of such compensation. This section shall not apply to any widow or children of a deceased member who shall have lost his life in the actual performance of his duty.

Section not to apply to widow or children.

C. 43:16-15. Member after twenty years of service and fifty years of age may retire.

11. Any member who at the time of the effective date of this act has served honorably in the police or fire department for a period of twenty years and has attained the age of fifty years shall be entitled to retirement at any time thereafter under the terms and conditions provided for in this subtitle prior to the effective date of this act except that the percentage of deductions from salary of such member shall be as provided in this act and except that pensions in such case shall be computed upon the salary received by such member at the time of the effective date of this act or upon the average annual salary paid during the last five years of his service, whichever is larger. The widow, children and dependent parents of a member who at the time of the effective date of this

act has attained the age of fifty years and has served honorably in the police or fire department for a period of twenty years shall be entitled to receive all the rights and benefits provided for in this subtitle prior to the effective date of this act.

Retain rights.

Any member who at the time of the effective date of this act shall be receiving a pension and the widow and children and dependent parents of such member shall retain the same rights and benefits provided for in this subtitle prior to the effective date of this act except that the percentage of deduction from the pension of such member shall be as provided in this act.

C. 43:16-17. Meaning of words and phrases.

12. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning:

Member.

(1) "Member" shall mean a person who on the effective date of this act is a member of a municipal police department or paid or part paid fire department or county police department or a paid or part paid fire department of a fire district located in a township and who has contributed to the pension fund established under chapter sixteen of Title 43 of the Revised Statutes and shall hereafter contribute to said fund.

Active member.

(2) "Active member" shall mean any "member" who is a policeman, fireman, detective, lineman, fire alarm operator or inspector of combustibles and who is subject to call for active service or duty as such.

Employee member.

(3) "Employee member" shall mean any "member" who is not subject to call for active service or duty as a policeman, fireman, detective, lineman, fire alarm operator or inspector of combustibles.

Commission.

(4) "Commission" shall mean the board having control of the fund and the administration of this act.

Physician.

(5) "Physician or surgeon" shall mean the surgeon or surgeons, physician or physicians who shall be called upon to determine the disability of members as provided by this act.

Employer. (6) "Employer" shall mean the county, municipality or agency thereof, by which a member is employed.

Service. (7) "Service" shall mean service rendered while a member is employed by a municipal police department, paid or part paid fire department, county police department or paid or part paid fire department of a fire district located in a township prior to the effective date of this act for such service to such departments thereafter.

Pension. (8) "Pension" shall mean the amount payable to a member or his beneficiary under the provisions of this act.

Average salary. (9) "Average salary" shall mean the average annual salary paid during the last five years of a member's service, or in the event he has been employed for less than five years, the average pay he received during the time that he was employed.

Beneficiary. (10) "Beneficiary" shall mean any person or persons, other than a member, receiving or entitled to receive a pension or benefit as provided by this act.

Dependent parent. (11) "Dependent parent" shall mean the father or mother of the deceased member who proves to the satisfaction of the commission that such deceased member was his or her main support.

County police. (12) "County police" shall mean the police officers employed by a county police department having supervision or regulation of traffic on county roads.

C. 43:16-16. May apply for reinstatement. 13. Any person who was a member of a pension fund under chapter sixteen of Title 43 of the Revised Statutes and applied for retirement after January first, one thousand nine hundred and forty-four, based on having served honorably in the police or fire department for a period of twenty years and having reached the age of fifty years and who has been so retired, may apply to his former employer for reinstatement within one month of the effective date of this act, and said employer may re-employ such person at the salary paid him at the time of his retirement regardless of any

other provision of law, and, if so re-employed, such person shall be deemed to have had the same continuous service and be entitled to the same rights and benefits as if he had not so retired but had continued in service.

14. This act shall take effect July first, one thousand nine hundred and forty-four. C. 43:16-18.

Approved May 23, 1944.

CHAPTER 254

AN ACT making an annual appropriation of one million dollars ($1,000,000.00) to the municipalities of the State which employ full-time policemen or firemen, or both.

WHEREAS, The universal use of the motor vehicle for the transportation of persons and property has imposed an extraordinary obligation upon municipalities for constructing and maintaining streets and highways and for the control and regulation of traffic and the protection of property from fire hazards; and Preamble.

WHEREAS, It is estimated that at least one-half of motor vehicle traffic is over local streets and highways, the maintenance of and traffic control on which is the responsibility of the local municipality; and Preamble.

WHEREAS, The State is receiving substantial revenues from the licensing of motor vehicles and the tax on gasoline used as their propelling power; and Preamble.

WHEREAS, Because of the added burden to municipalities in providing street and highway facilities Preamble.

and in furnishing traffic control and fire protection, incident to the use of the automobile, it is deemed just that the State should compensate municipalities in part for the added cost thus involved; therefore,

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

C. 40:47-12.2. Appropriation.

1. The sum of one million dollars ($1,000,000.00) is hereby appropriated annually to be apportioned among the municipalities of the State, which employ full-time policemen or firemen, or both, as provided by this act.

C. 40:47-12.3. Policemen and firemen.

2. The words "policemen and firemen" as used in this act shall be taken to mean the full-time employees of the police or fire departments, or both, of the municipality who are subject to assignment for active uniform police or fire duty, and shall also be taken to include detectives, linemen, fire alarm operators, and inspectors of combustibles employed full-time by the municipality.

C. 40:47-12.4. Sum appropriated paid from State Highway Fund.

3. The sum hereby appropriated for the fiscal year 1944-1945 shall be paid from the State Highway Fund and apportioned in the following manner:

Mayor and clerk to certify number of full time policemen and firemen.

The mayor and clerk of each municipality employing full-time policemen and firemen shall, under oath, certify to the State Comptroller during the month of July in the year one thousand nine hundred and forty-four the number of full-time policemen and firemen employed by their municipality, who were so employed on July first, one thousand nine hundred and forty-four, and prior to the following first day of December the State Treasurer shall pay to the treasurer of the municipality, for such fiscal year, the municipality's proportionate share of the sum so appropriated as the number of full-time policemen and firemen, certified as being employed by the municipality, bears to the whole number of full-time policemen and firemen as certified to be employed in all such municipalities of the State.

C. 40:47-12.5. Sum appropriated from General State Fund.

4. The sum hereby appropriated for the fiscal year 1945-1946 and for each fiscal year thereafter shall be paid from the General State Fund and apportioned in the following manner:

Certify number of full time policemen and firemen before October fifteenth.

On or before the fifteenth day of October in the year one thousand nine hundred and forty-four and on or before the fifteenth day of October each year thereafter the mayor and clerk of such municipalities shall certify, under oath, to the State Comptroller the number of full-time policemen and firemen employed by their municipality as of October first of that year. The State Comptroller shall certify the requirement for the appropriation made by this act to the State Budget Commissioner on or before the fifteenth day of November of such year for the purpose of having an appropriation included in the annual appropriation bill which shall be operative for the fiscal year next ensuing the date of such certification. The State Treasurer shall pay on or before December first for the fiscal year for which such appropriation is operative to the treasurer of the municipality as the payment for the then current fiscal year the municipality's proportionate share of the amount appropriated as the number of full-time policemen and firemen, certified as being employed by such municipality, bears to the whole number of full-time policemen and firemen certified as being employed in all such municipalities in the State.

State Comptroller certify requirement to State Budget Commissioner.

State Treasurer shall pay on or before December first.

C. 40:47-12.6. Municipality to forfeit right to appropriation.

5. Should the mayor and clerk of any such municipality fail, in any year, to certify the number of full-time policemen and firemen employed by their municipality by the date hereinbefore required, the municipality shall forfeit its right to its share of the appropriation hereby made for the State fiscal year for which such certification would have qualified it and no payment shall be made to such municipality for such fiscal year.

C. 40:47-12.7. State Comptroller to have access to payroll records.

6. The State Comptroller shall have access to the payroll records or other records of any municipality for the purpose of verifying the accuracy of the figures of any certification and may employ

such means as he shall deem proper to verify the figures of any such certification made by the mayor and clerk of any municipality. The State Comptroller may order the State Treasurer to withhold all or a part of any municipality's share of the appropriation made by this act upon discovery of error in any certification made to him until such error is corrected.

State Comptroller may order State Treasurer to withhold share of appropriation.

C. 40:47-12.8. Municipal treasurer to deposit amount received to pension fund account.

7. In such municipalities as have established and are maintaining pension funds for the policemen and firemen of the municipality the treasurer of the municipality upon receipt of the payment from the State Treasurer as provided by this act, shall forthwith deposit same to the credit of such pension fund. In such municipalities as have no such pension fund the moneys so received shall be used for the support of the police and fire departments of such municipalities.

C. 40:47-12.9.

8. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved May 23, 1944.

CHAPTER 255

AN ACT for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof.

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

C. 43:16A-1. Words and phrases.

1. The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings:

Retirement system.

(1) "Retirement system" shall mean the Police and Firemen's Retirement System of New Jersey as defined in section two of this act.

(2) "Policeman or fireman" shall mean any permanent and full-time active uniformed employee, and any active permanent and full-time employee who is a detective, lineman, fire alarm operator or inspector of combustibles, of any police or fire department of a municipality or a fire department of a fire district located in a township or a county police department. Poiceman or fireman.

(3) "Member" shall mean any policeman or fireman included in the membership of the retirement system as provided in section three of this act. Member.

(4) "Board of trustees" or "board" shall mean the board provided for in section thirteen of this act to administer the retirement system. Board of trustees.

(5) "Medical board" shall mean the board of physicians provided for in section thirteen of this act. Medical board.

(6) "Employer" shall mean the county, municipality or political subdivision thereof which pays the particular policeman or fireman. Employer.

(7) "Service" shall mean service as a policeman or fireman or county policeman paid for by an employer. Service.

(8) "Creditable service" shall mean service rendered while a member of the retirement system, for which credit is allowed as provided under section four of this act. Creditable service.

(9) "Regular interest" shall mean interest as determined from time to time by the board of trustees under the provisions of section thirteen, subsection fifteen, of this act. Regular interest.

(10) "Aggregate contributions" shall mean the sum of the amounts deducted from a member's salary and credited to his account in the annuity savings fund. Aggregate contributions.

(11) "Annuity" shall mean payments for life derived from the aggregate contributions of a member. All annuities shall be paid in equal monthly installments. Annuity.

(12) "Pension" shall mean payments for life derived from contributions by the employer. All Pension.

pensions shall be paid in equal monthly installments.

Retirement allowance.

(13) "Retirement allowance" shall mean the sum of the pension and the annuity, if any.

Earnable compensation.

(14) "Earnable compensation" shall mean the full rate of the salary that would be payable to an employee if he worked the full normal working time for his position. In cases where salary includes maintenance, the board of trustees shall fix the value of that part of the salary not paid in money which shall be considered under this act.

Average final compensation.

(15) "Average final compensation" shall mean the average annual earnable salary of an employee during his last ten years of service as an employee or if he had less than ten years of service, then his average earnable salary for his total service.

Retirement.

(16) "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions of this act.

Annuity reserve.

(17) "Annuity reserve" shall mean the present value of all payments to be made on account of any annuity or benefit in lieu of any annuity computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest.

Pension reserve.

(18) "Pension reserve" shall mean the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest.

Actuarial equivalent.

(19) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest.

Beneficiary.

(20) "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided by this act.

C. 43:16A-2. Retirement system established.

2. A retirement system is hereby established for the purpose of providing retirement allowances and other benefits for policemen and firemen under the provisions of this act. The retirement system

so created shall be established within thirty days from the effective date of this act. It shall have the powers and privileges of a corporation and shall be known as the "The Police and Firemen's Retirement System of New Jersey" and by such name all of its business shall be transacted, all of its funds invested, and all of its cash and securities and property held in trust for the purpose for which received.

Name.

C. 43:16A-3. Becomes a member on employment.

3. (1) After the date of the establishment of this retirement system, any person becoming a policeman or fireman in a county or municipality or fire district located in a township where, prior to the date this act takes effect, a pension fund for policemen or firemen has been established, shall become a member of this retirement system as a condition of his employment; *provided,* that his age at becoming a policeman or fireman is not over thirty years; *and further provided,* that he shall furnish such evidence of good health at the time of becoming a member as the board of trustees shall require.

Proviso.

Proviso.

Board of trustees may deny right to become member.

(2) The board of trustees may in its discretion deny the right to become members to any class of policemen or firemen whose compensation is only partly paid by the employer or who are serving in a temporary or other than per annum basis, and it may also, in its discretion, make optional with members in any such class their individual entrance into membership.

Absent from service.

(3) Should any member in any period of four consecutive years after last becoming a member be absent from service for more than two years, or withdraw his aggregate contributions, or become a beneficiary or die, he shall thereupon cease to be a member.

C. 43:16A-4 Service of policeman or fireman.

4. Only service as a policeman or fireman in a municipality or a fireman in a fire district located in a township or a policeman of a county paid for by an employer, which was rendered by a member since he became a member, or, since he last became a member in case of a break in service, shall be

considered as creditable service for the purposes of this act.

C. 43:16A-5. Twenty-five years of service.

5. (1) Any member in service who has attained age fifty-five years and who has completed at least twenty-five years of creditable service may retire on a service retirement allowance upon written and duly executed application to the board of trustees, setting forth at what time, not less than thirty days nor more than ninety days, subsequent to the filing thereof, he desires to be retired. Any member in service who attains age sixty-five years shall be retired on a service retirement allowance forthwith or on the first day of the next calendar month.

Application to retire.

Retirement.

(2) Upon retirement for service a member shall receive a service retirement allowance which shall consist of:

Annuity.

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

Pension

(b) A pension in the amount which when added to the member's annuity will provide a total retirement allowance of one-sixtieth of his average final compensation multiplied by the number of years of his creditable service.

C. 43:16A-6. Retirement after five years of service.

6. (1) Upon the written application of a member in service or of his employer, any member who has had five or more years of creditable service may be retired by the board of trustees, not less than thirty days and not more than ninety days next following the date of filing such application, on an ordinary disability retirement allowance; *provided,* that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the performance of his usual duty and of any other available duty in the department which his employer is willing to assign to him and that such incapacity is likely to be permanent and to such an extent that he should be retired.

Proviso.

Allowance.

(2) Upon retirement for ordinary disability, a member shall receive a service retirement allowance if he has completed at least twenty-five years of

creditable service and attained age fifty-five years, otherwise an ordinary disability retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement; and Annuity.

(b) A pension equal to the annuity provided by the aggregate contributions, but not less than the amount which when added to the member's annuity will provide a total retirement allowance of twenty-five per centum (25%) of the member's average final compensation. Pension.

7. (1) Upon the written application of a member or of his employer any member may be retired by the board of trustees, not less than thirty nor more than ninety days next following the date of filing such application, on an accidental disability retirement allowance; *provided,* that the medical board, after a medical examination of such member, shall certify that the natural and proximate cause of such disability was an accident met in the actual performance of duty within two years preceding the date of such application and that such disability was not the result of the member's willful negligence and that such member is mentally or physically incapacitated for performance of his usual duty and of any other available duty in the department which his employer is willing to assign to him, and that such incapacity is likely to be permanent and to such an extent that such member should be retired. C. 43:16A-7. Accidental disability allowance. Proviso.

(2) Upon retirement for accidental disability, a member shall receive an accidental disability retirement allowance which shall consist of: Accidental disability allowance.

(a) An annuity which shall be the actuarial equivalent of the member's aggregate contributions at retirement; and Annuity.

(b) A pension equal to one-half of the member's average final compensation. Pension.

(c) The total of the annual allowance as provided in this section shall not exceed sixty per centum (60%) of the average final compensation of the member. Total allowance.

C. 43:16A-8. Application referred to medical board.

8. (1) Upon the receipt by the board of trustees of a written application for a disability retirement allowance, the board shall refer the application to the medical board, which shall examine the applicant and the report of the medical board shall be considered by the board of trustees in acting upon such application.

Medical examination on request by beneficiary.

(2) Any beneficiary under the age of fifty-five years who has been retired on a disability retirement allowance under this act, on his request may be given a medical examination and he shall submit to an examination by the medical board within the State, or to an examination by a physician or physicians designated by the medical board at such place to be mutually agreed upon, twice a year for a period of three years and once a year thereafter in order to determine whether or not the disability which existed at the time he was retired has vanished or has materially diminished. If the report of the medical board shall show that such beneficiary is able to perform either his former duty or any other available duty in the department which his employer is willing to assign to him, the beneficiary shall report for duty within ten days.

Failure to submit to examination.

If the beneficiary fails to submit to any such medical examination or fails to return to duty within ten days after being ordered so to do, or within such further time as may be allowed by the commission for valid reason, as the case may be, the pension shall be discontinued during such default. A beneficiary shall immediately advise the board of trustees of any change in his residence.

Reductions in pension.

(3) Should the medical board report and certify to the board of trustees that such member is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, and should the board of trustees concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his average final compensa-

tion. Should his earning capacity be later changed the amount of his pension shall be further modified; *provided,* that the new pension shall not exceed the amount of the pension originally granted nor an amount which, when added to the amount earnable by such member together with his annuity, equals the amount of his average final compensation. Proviso.

(4) A beneficiary restored to active service at a salary not less than the salary he received at the time he was retired shall become a member of the retirement system and shall be entitled to his previous total service credit, but on his subsequent retirement, he shall not receive a greater pension on account of his service rendered before his previous retirement than he was entitled to receive at the time of his restoration, anything to the contrary notwithstanding. Beneficiary restored to active service becomes a member of retirement system.

9. (1) Upon the receipt of proper proofs of the death of a member in service on account of which no accidental death benefit is payable under section ten, there shall be paid to such person as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to his estate: C. 43:16A-9. Death of member in service.

(a) His aggregate contributions at the time of death; and

(b) If the member has less than ten years of creditable service an amount equal to his compensation for six months of service preceding his death; if the member has ten or more years of creditable service an amount equal to his compensation for the twelve months of service preceding his death.

(2) The beneficiary of an ordinary death benefit may elect to receive the amount payable in one sum or in equal annual installments over a period of years or as a life annuity. Beneficiary to elect.

10. (1) Upon the accidental death of a member before retirement, provided that evidence shall be submitted to the board of trustees justifying the determination that the natural and approximate C. 43:16A-10. Accidental death before retirement.

cause of such death was an accident met in the actual performance of duty within two years preceding the date of such death and that such death was not the result of the member's willful negligence, an accidental death benefit shall be payable.

(2) The accidental death benefit shall consist of:

Payment of contributions.

(a) The amount of the member's aggregate contributions which shall be paid as an annuity to his designated beneficiary if living, otherwise in one sum to the executor of the member's estate; and

Pension to widow.

(b) A pension of one thousand dollars ($1,000.00) a year to the widow of the member if he leaves a widow to whom he was married before he attained fifty years of age to continue until her death or remarriage; or, if there is no widow, or if such widow dies leaving children of the deceased member, a

Pension to children.

pension to each child under age sixteen to continue to age sixteen or prior death, such pension to be four hundred dollars ($400.00) annually if there is only one such surviving child; or three hundred seventy-five dollars ($375.00) annually to each child if two such surviving children; or one thousand dollars ($1,000.00) annually divided equally among the surviving children if there are three or more such children.

C. 43:16A-11.

11. If a member should cease to be a fireman or policeman, except by death or retirement as provided in this act, he shall be paid the amount of his aggregate contributions.

C. 43:16A-12. Member may convert retirement allowance.

12. Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value of one of the optional forms named

Proviso.

below; *provided, however,* that no election of an optional benefit shall be effective until sixty days after the date of the filing of the election thereof with the board of trustees, or until sixty days after retirement, whichever is later, and should the member die before such election becomes effective, the benefits payable on his account shall be the same

as though his election has not been filed and he had not been retired

Option 1. A reduced retirement allowance payable during his life, with the provision that at his death a lump sum equal in amount to the difference between his aggregate contributions at the time of his retirement and the sum of the annuity payments actually made to him during his lifetime shall be paid to such person, if any, as he has nominated by written designation duly acknowledged and filed with the board, otherwise to his estate; or Option 1.

Option 2. A reduced retirement allowance payable during his life, with the provision that it shall continue after his death for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board at the time of retirement should such beneficiary survive him; or Option 2.

Option 3. A reduced retirement allowance payable during his life, with the provision that it shall continue after his death at one-half the rate paid to him and be paid for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board at the time of retirement should such beneficiary survive him. Option 3.

13. (1) The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this act are hereby vested in a board of trustees which shall be organized immediately after three of the trustees provided for in this section have qualified and taken the oath of office. C. 43:16A-13. Administration of retirement system vested in trustees.

(2) The board shall consist of five trustees as follows: Membership.

(a) Two members to be appointed by the Governor for a term of three years, one of whom shall be an officer of the State of New Jersey, and the other of whom shall be a private citizen of the State of New Jersey who is neither an officer thereof nor a member of any police or fire department thereof. Appointment of members.

(b) The State Treasurer, ex officio. State Treasurer.

One policeman and one fireman to be members.

(c) One policeman and one fireman who shall be members of the system and who shall be elected by the members of the system for a term of four years according to such rules and regulations as the board of trustees shall adopt to govern such election; *provided, however,* that the term of office of the first two trustees so elected shall begin immediately following their election and shall expire July first, one thousand nine hundred and forty-six, and July first, one thousand nine hundred and forty-eight, in the order named.

Proviso.

Oath of office.

(3) Each trustee shall, within ten days after his appointment or election, take an oath of office that, so far as it devolves upon him he will diligently and honestly administer the affairs of the said board, and that he will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed by the member making it, and certified by the officer before whom it is taken, and immediately filed in the office of the Secretary of State.

Vacancy for unexpired term.

(4) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

Reimbursed for expenses.

(5) The trustees shall serve without compensation, but they shall be reimbursed from the expense fund for all necessary expenses that they may incur through service on the board.

Vote.

(6) Each trustee shall be entitled to one vote in the board. Three votes shall be necessary for a decision by the trustees at any meeting of said board.

Board of trustees to establish rules.

(7) Subject to the limitations of this act the board of trustees shall, from time to time, establish rules and regulations for the administration of the funds created by this act and for the transaction of its business.

Officers of board.

(8) The board of trustees shall elect from its membership a chairman and shall by a majority vote of all its members appoint a secretary, who

may be, but need not be, one of its members. It shall engage such actuarial and other service as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the board of trustees, and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, from moneys in the expense fund.

Compensation of persons engaged.

(9) The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system, and for checking the experience of the system.

Board to keep data.

(10) The board of trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding year, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

Keep record of all proceedings.

(11) The Attorney-General of the State of New Jersey shall be the legal adviser of the board of trustees.

Attorney-General legal adviser.

(12) The board of trustees shall designate a medical board to be composed of one, two or three physicians as the board shall designate who are not eligible to participate in the retirement system. If required, other physicians may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this act, shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

Medical board.

Medical board to arrange medical examinations.

Actuary and technical advisor.

(13) The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the funds created by the provisions of this act, and shall perform such other duties as are required in connection therewith.

Actuary to prepare mortality and service tables.

(14) Immediately after the establishment of the retirement system, the actuary shall prepare and submit to the board of trustees the mortality and service tables which he recommends to the board for adoption. Having regard to such recommendation, the board shall adopt for the retirement system such mortality and service tables as shall be deemed necessary, and shall certify the rates of contribution payable under the provisions of this act.

Actuarial investigation.

At least once in each five-year period following the establishment of the system, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such mortality, service and other tables as shall be deemed necessary and shall certify the rates of contribution payable under the provisions of this act.

Rate of interest.

(15) The board of trustees from time to time shall set the rate of regular interest at such per centum rate compounded annually as shall be determined by the board to be equitable in its judgment, both to members and to the taxpayers of the State, such rate to be limited to a minimum of two per centum (2%) and a maximum of four per centum (4%), with the rate of three per centum (3%) applicable until changed by the board.

Actuary to make an annual valuation of assets.

(16) On the basis of such tables as the board of trustees shall adopt and regular interest, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system created by this act.

Funds subject to supervision by Banking and Insurance Department.

(17) The various funds created by this act shall be subject to the supervision of the Department of Banking and Insurance of the State of New Jersey.

C. 43:16A-14. Board to have control of funds.

14. (1) The board of trustees shall have control and management of the several funds created by section fifteen of this act. The board of trustees may invest and reinvest such funds in the bonds or obligations of the United States of America; or of the State of New Jersey; or of any municipality wherein the school district is authorized to issue bonds for school purposes wherein the net indebtedness does not exceed seven per centum (7%) of the average of the next three preceding valuations of taxable real property (including improvements); or of a municipality wherein the indebtedness created for school purposes is issued by the municipality, the total net indebtedness (including the school debt) does not exceed thirteen per centum (13%) of the average of the next three preceding valuations of taxable real property (including improvements); or of a school district that finances its capital improvements by issuing school district bonds, in which the net indebtedness does not exceed six per centum (6%) of the average of the next three preceding valuations of taxable real property (including improvements); or of a county wherein the net indebtedness does not exceed four per centum (4%) of the average of the next three preceding valuations of taxable real property (including improvements). Net indebtedness, as used in this section, shall mean the net indebtedness as defined by sections 40:1–75 to 40:1–81, inclusive, of the Revised Statutes.

State Treasurer custodian of funds.

(2) The Treasurer of the State of New Jersey shall be the custodian of the several funds. All payments from said funds shall be made by him only upon vouchers signed by two persons designated by the board of trustees. A duly attested copy of a resolution of the board of trustees designating such persons and bearing on its face specimen signatures of such persons shall be filed with the treasurer as his authority for making payments upon such vouchers. No voucher shall be drawn unless it has previously been authorized by resolution of the board of trustees.

Available cash not to exceed ten per centum of several funds.

(3) For the purpose of meeting disbursements for pensions, annuities, and other payments there may be kept available cash, not exceeding ten per centum (10%) of the total amount in the several funds of the retirement system on deposit in one or more banks or trust companies of the State of New Jersey, organized under the laws of the State of New Jersey, or of the United States; *provided,* that the sum on deposit in any one bank or trust company shall not exceed twenty-five per centum (25%) of the paid-up capital and surplus of such bank or trust company.

Proviso.

No trustee or employee to have direct interest in profits of any investment.

(4) Except as otherwise herein provided, no trustee and no employee of the board of trustees shall have any direct interest in the gains or profits of any investments made by the board of trustees; nor shall any trustee or employee of the board directly or indirectly, for himself or as an agent in any manner use the moneys of the retirement system, except to make such current and necessary payments as are authorized by the board of trustees; nor shall any trustee or employee of the board of trustees become an endorser or surety, or in any manner an obligor for moneys loaned to or borrowed from the board of trustees.

C. 43:16A-15. Expenses of administration paid by State.

15. (1) The contributions required for the support of the retirement system shall be made by members and their employers except for the expenses of administration which shall be paid by the State.

Actuary to determine percentage of compensation.

(2) Upon the basis of such tables as the board shall adopt and regular interest, the actuary of the retirement system shall determine for each age at entrance into the system the uniform and constant percentage of compensation of the member entering at such age, which, if deducted from each payment of his prospective earnable compensation throughout active service, is computed to be sufficient to provide for all benefits on account of his membership.

Percentage contribution rate.

(3) The percentage contribution rate of each member shall be fixed according to his age at en-

trance into membership and shall be one-half of the total percentage contribution rate calculated for such age to be required to provide all benefits except the pensions upon accidental disability and accidental death.

Employee to make a contribution equal to that made by each member.

(4) Each employer shall make a contribution equal to that made by each member in its employ and in addition shall make a contribution equal to the percentage of the compensation of each such member certified by the board to be required to provide the cost of accidental death and accidental disability pensions on his account. Notwithstanding this provision, the board may in its discretion certify an average and uniform rate for payments by all employers, which shall be set on the basis of the annual actuarial valuations to be sufficient to provide with previous contributions of employers all benefits for which employers are responsible.

Board may certify an average and uniform rate.

Percentage rates of contribution subject to adjustment.

(5) The percentage rates of contribution payable by members and employers shall be subject to adjustment from time to time by the board of trustees on the basis of annual actuarial valuations and experience investigations as provided under section thirteen, so that the value of future contributions of members and employers, when taken with present assets, shall be equal to the value of prospective benefit payments.

Board of trustees shall certify to chief fiscal officers of employer.

(6) The board of trustees shall certify to the chief fiscal officer of each employer the percentage of salary payable by each member and by the employer in behalf of each member. The officer or officers responsible for the payment of salaries of the employer shall cause to be deducted from the salary of each member on each and every payroll of such employer for each and every payroll period the percentage of earnable compensation of each member certified for payment by the member. In determining the amount earnable by a member in a payroll period, the board of trustees may consider the rate of salary payable to such member on the first day of the payroll period as continuing

throughout such payroll period, and it may omit deduction from salary for any period less than a full payment period if an employee was not a member on the first day of the payrill period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per centum (1/10 of 1%) of the annual salary upon the basis of which such deduction is to be made.

Deductions shall be made notwithstanding minimum salary.

Every member deemed to consent to deductions.

(7) The deductions provided for herein shall be made notwithstanding that the minimum salary provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except as to the benefits provided under this act.

Chief fiscal officer to certify to board of trustees the amounts deducted.

The chief fiscal officer of each employer shall certify to the board of trustees on each and every payroll or in such other manner as the board of trustees may prescribe, the amounts to be deducted; and each of said amounts shall be deducted, and when deducted shall be paid into said annuity savings fund, and shall be credited to the individual account of the member from whose salary said deduction was made.

Amount payable by employees to be included in budget.

(8) The amount payable each year by the employer based on the percentage rates certified by the board of trustees shall be included in the budget of the employer and levied and collected in the same manner as any other taxes are levied and collected for the payment of the salaries of members.

Treasurer of employer shall pay to State Treasurer.

(9) The treasurer or corresponding officer of the employer shall pay on or before the twenty-seventh day of December in each year to the State Treasurer the amount so determined, and shall pay monthly to the State Treasurer the amount of the deductions from the salary of the members in the

employ of the employer and the State Treasurer shall credit such amount to the appropriate fund, or funds, of the retirement system.

Expenses of administration paid by State.

(10) The expenses of administration of the retirement system shall be paid by the State of New Jersey. The board of trustees shall estimate and certify, annually, to the Governor and to the Budget Commissioner by October fifteenth the amount required during the ensuing fiscal year to provide for the expense of operation of the retirement system and such amount shall be paid by the State to the expense fund for this purpose. For the purpose of organizing the retirement system an appropriation of twenty thousand dollars ($20,000.00) is hereby appropriated from the treasury of the State.

Twenty thousand dollars appropriated for organizing systems.

Funds may be used temporarily.

(11) Prior to the receipt of contributions from members and employers, any moneys in the funds of the system may be used temporarily to cover disbursements but such moneys shall be restored to their proper funds on or prior to the end of the second year of operation.

C. 43:16A-16.

Assets credited to one of four funds.

16. (1) All of the assets of the retirement system shall be credited according to the purpose for which they are held to one of four funds, namely, the annuity savings fund, the pension accumulation fund, the retirement reserve fund and the expense fund.

Annuity savings fund.

(2) The annuity savings fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their annuities. The aggregate contributions of a member withdrawn by him or paid to his estate or his designated beneficiary in event of his death as provided in this act shall be paid from the annuity savings fund. Upon the retirement or death of a member where the aggregate contributions of the member are to be provided in the form of an annuity, the aggregate contributions of the member shall be transferred from the annuity savings fund to the retirement reserve fund.

Pension accumulation fund.

(3) The pension accumulation fund shall be the fund in which shall be credited contributions made by employers. Upon the death of a member in active service due to ordinary causes, any lump sum benefit payable in addition to the employee's contributions shall be charged to the pension accumulation fund. Upon the retirement or death of a member the reserve of any pension payable to or on his account shall be transferred to the retirement reserve fund. All interest and other income from investments shall be credited to the pension accumulation fund and annually the board of trustees shall transfer from the pension accumulation fund to the retirement reserve fund regular interest on the mean amount in the retirement reserve fund for the year. The board of trustees, in its discretion, may transfer to and from the pension accumulation fund any surplus or deficit in the retirement reserve fund.

Retirement reserve fund.

(4) The retirement reserve fund shall be the fund in which shall be held the reserves on all retirement allowances granted to members or their beneficiaries and from which all retirement allowance benefits in lieu thereof shall be paid. Should a member who retired on account of disability be restored to active service his pension reserve shall be transferred from the retirement reserve fund to the pension accumulation fund and the excess of his aggregate contributions as they stood at retirement over the amount of annuity payments made shall be transferred to the annuity savings fund. Should the pension of any disabled member be reduced as a result of an increase in his earning capacity the amount of the annual reduction in his pension shall be paid annually into the pension accumulation fund during the period of such reduction.

Expense fund.

(5) The expense fund shall be the fund contributed by the State, and shall be the fund to which shall be credited all money provided by the State to pay the administration expenses of the retirement system, and from which shall be paid all

the expenses necessary in connection with the administration and operation of the system.

C. 43:16A-17. Return of contributions.

17. The right of a person to a pension, an annuity, or a retirement allowance, to the return of contributions, any benefit or right accrued or accruing to a person under the provisions of this act and the moneys in the various funds created under this act, shall be exempt from any State or municipal tax and from levy and sale, garnishment, attachment or any other process, and except as in this act otherwise provided, shall be unassignable.

C. 43:16A-18. Guilty of misdemeanor.

18. Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a misdemeanor and shall be punishable therefor under the laws of the State of New Jersey. Should any change or error in the records result in any member or person receiving from the retirement system more or less than he would have been entitled to receive had the records been correct, the board of trustees shall correct such error, and as far as practicable, shall adjust the payments in such manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

C. 43:16A-19. Act not to apply in certain cases.

19. No other provision of law in any other statute which provides wholly or partly at the expense of the State of New Jersey or of any county or municipality in the State for pensions or retirement benefits for policemen or firemen or county policemen, their widows, or other dependents, shall apply to members, or beneficiaries of the retirement system established by this act, their widows or other dependents.

C. 43:16A-20. Provisions to apply to such municipalities that have a pension fund at effective date of the act.

20. The provisions of this act shall apply in such municipalities as at the effective date of this act there shall have been established a pension fund for policemen and firemen and in such counties as there shall have been established a pension fund for county police officers, and in any fire district

located in a township in which there shall have been established a pension fund for firemen; which pension funds have been established under chapter sixteen of Title 43 of the Revised Statutes.

C. 43:16A-21. Amount payable under workmen's compensation law deducted from allowance.

21. Any compensation agreed to or awarded and payable by the municipality, county or fire district under the workmen's compensation law (chapter fifteen of Title 34 of the Revised Statutes) to a member or his beneficiary on account of the disability or death of the member shall be deducted from any allowance or benefit payments to the member or his beneficiary on account of such disability or death as provided by this act. Should the agreement or award of the compensation provide for payment in a lump sum, then the allowance or benefit payments shall cease until they shall equal the amount of the compensation paid. Should the agreement or award of the compensation provide for periodic compensation payments, then the amount of such compensation payments shall be deducted from the corresponding allowance or benefits payable under this act, until the deductions from such allowance or benefit payments equal the compensation payments.

C. 43:16A-22. Certain associations not affected by act.

22. The State Firemen's Relief Fund and the State Firemen's Association and the laws by virtue of which they exist and operate shall not be affected by the provisions of this act, nor shall anything in this act contained be construed to in anywise limit or interfere with the operation and effect of sections 38:23–4, 38:23–5 and 38:23–6 of the Revised Statutes.

C. 43:16A-23. Member not deprived of pension privileges because of violation of rules.

23. No member of the police or fire department in any municipality or county police department who shall have served honorably in any such department for a period of twenty-five years and attained age fifty-five shall be deprived of his pension privileges under this act because of any violation of the rules and regulations established for the government of such department, but he may be fined, reprimanded or discharged. A member of the department found guilty before a court of com-

petent jurisdiction may be dismissed or punished in any manner provided by law.

C. 43:16A-24. Any provision declared unconstitutional.

24. If any provision, section or part of any section of this act is declared to be unconstitutional, the same shall not be held to affect any other section or provision of this act, and the remainder of this act shall in nowise thereby be invalidated.

C. 43:16A-25.

25. This act shall take effect July first, one thousand nine hundred and forty-four.

Approved May 23, 1944.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION creating a Commission on State Administrative Reorganization.

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

1. A Commission on State Administrative Reorganization is hereby created which shall consist of one member of the Senate to be appointed by the President thereof, one member of the General Assembly to be appointed by the Speaker thereof, two members to be appointed by the Governor from among persons holding State administrative office or position, and one member to be appointed by the Governor from among the public at large. Commission on State Administrative Reorganization created.

2. The commission shall inquire into the subject of State Administrative Reorganization and shall determine in what respects the existing State administrative agencies and functions may be most effectively consolidated, co-ordinated, rearranged and simplified to promote efficiency and economy in the operation of the State government. Commission to inquire into consolidation of State departments.

3. The commission is authorized to hold hearings and to draft necessary assistants from any State department, as may be required. Authorized to hold hearings.

4. The commission shall complete its work as soon as practicable and make its report to the Governor during the present session of the Legislature. Make report.

5. This joint resolution shall take effect immediately.

Approved January 25, 1944.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION memorializing the Congress of the United States to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide for Federal action only in the delivery, collection and return of the ballots.

Preamble. WHEREAS, Congress is considering soldier vote legislation; and

Preamble. WHEREAS, The Constitution of the State of New Jersey provides that no elector in the actual military service of the United States shall be deprived of his vote by reason of his absence from his election district, and places the duty upon our Legislature to provide by law for the effectuation of this guarantee; and

Preamble. WHEREAS, The New Jersey Legislature is now in session and desires to make all further changes in our laws which will improve the opportunity of our servicemen and servicewomen to vote; and

Preamble. WHEREAS, New Jersey servicemen and servicewomen will be assured of their right to vote for all Federal, State and county candidates and also on public questions if Congress will provide merely for full and speedy co-operation in the delivering, collecting and returning of the ballots; therefore

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

1. That the Congress of the United States be and is hereby urged to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide for Federal action only in the delivery, collection and return of the ballots. Congress urged to adopt legislation relative to absentee ballots.

2. That the Secretary of State be and is hereby directed to transmit, immediately following the passage of this joint resolution, a copy thereof, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives and to each member of the Senate and House of Representatives from the State of New Jersey. Secretary of State directed to transmit copies.

3. This joint resolution shall take effect immediately.

Approved January 25, 1944.

JOINT RESOLUTION No. 3

JOINT RESOLUTION memorializing the Congress of the United States to oppose any legislation transferring to the Federal government the administration of unemployment compensation.

WHEREAS, The Federal Social Security Board, and other Federal agencies and Federal officials, propose to recommend to the Congress plans that will involve the nationalization of unemployment insurance in the fifty-one States and jurisdictions of the United States; and Preamble.

Preamble.

WHEREAS, Transfer of these proper State functions to the Federal government would eliminate all consideration of local conditions of living and employment; and

Preamble.

WHEREAS, The balance in the New Jersey Fund as of December thirty-first, one thousand nine hundred and forty-three, is three hundred eight million twenty-six thousand eight hundred twenty-one dollars and thirty cents ($308,026,821.30).

Preamble.

WHEREAS, The proposal to federalize unemployment insurance systems of the various States seriously threatens the availability of this fund for use in the State of New Jersey alone, since the unified national system might involve pooling of all State funds; and

Preamble.

WHEREAS, The New Jersey Legislature by the enactment of chapter three hundred eighty-six, pamphlet laws of one thousand nine hundred and forty-one, directed that the Employment Service Division of the New Jersey Unemployment Compensation Commission, now loaned to the Federal government for the war emergency, be returned to State service; now, therefore,

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

Congress urged to adopt legislation to oppose transfer of administration of unemployment compensation.

1. The Legislature of the State of New Jersey considers that post-war problems may be properly administered only under a State employment security system including both unemployment compensation and employment service and, therefore, respectfully urges and petitions the Congress of the United States to oppose the enactment of any proposal involving the transfer of the administration of unemployment compensation from the States to the Federal government.

Secretary of State directed to transmit copies.

2. The Secretary of State be and he is hereby directed to transmit copies of this joint resolution

to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives, the Senators and Representatives of the State of New Jersey in the Congress, the Federal Security Administrator, and the Federal Social Security Board.

3. This joint resolution shall take effect immediately.

Approved February 4, 1944.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION creating a commission to investigate the question of the valuation and taxation of intangible personal property and related tax subjects, and to prepare and recommend legislation in connection therewith.

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

1. There is hereby created a commission to investigate the question of the valuation and taxation of intangible personal property and related tax subjects. Commission created.

2. The commission shall consist of five members to be named by the Governor, one of whom shall be a member of the State Senate and one a member of the House of Assembly, who are hereby empowered to undertake and complete the investigation authorized by this joint resolution. Members.

3. The Governor shall designate one of the members to be chairman, and the Department of Law shall render such legal services as may be necessary. The commission may employ a secretary and such technical and clerical assistants as may be necessary. It may sit during the recess of the Legislature or after any adjournment thereof. Governor to designate chairman.

Commission to hold hearing.

4. The commission may hold hearings in any part of the State and is empowered by its subpœna to compel the attendance of witnesses and the production of books, papers and records, and upon the completion of its said hearings shall embody its findings and recommendations in a report, with proposed legislation thereon, to the present or a succeeding session of the Legislature.

5. This joint resolution shall take effect immediately.

Approved March 29, 1944.

JOINT RESOLUTION No. 5

RESOLUTION proposing an Amendment to the Constitution of the United States Relative to Taxes on Incomes, Inheritances and Gifts.

RESOLVED *by the Senate and House of Assembly of the State of New Jersey:*

Application to Congress to call a convention.

That application be and it hereby is made to the Congress of the United States of America to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE.....

"Section 1. The sixteenth article of amendment to the Constitution of the United States is hereby repealed.

Proposed amendment.

"Sec. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration. The maximum aggregate rate of all taxes, duties and excises which the Congress may lay or collect on, with respect to, or measured by,

income, however, shall not exceed 25 per centum. In the event that the United States shall be engaged in a war which creates a national emergency so grave as to necessitate such action to avoid national disaster, the Congress by a vote of three-fourths of each house may, while the United States is so engaged, suspend, for periods not exceeding one year each, such limitation with respect to income subsequently accruing or received.

"Sec. 3. The maximum aggregate rate of all taxes, duties, and excises which the Congress may lay or collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of or intended to take effect in possession or enjoyment at or after death, or by way of gift, shall not exceed 25 per centum. Maximum aggregate rate of all taxes.

"Sec. 4. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax on, with respect to, or measured by, income for any period ending on or prior to said 31st day of December laid in accordance with the terms of any law then in effect. Effective date.

"Sec. 5. Section 3 shall take effect at midnight on the last day of the sixth month following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax with respect to any devolution or transfer occurring prior to the taking effect of Section 3, laid in accordance with the terms of any law then in effect." Effective date.

And be it further

Resolved, that the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several states; and be it further Ratification.

Secretary of State directed to transmit copies.

Resolved, that the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States.

Approved April 4, 1944.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

A few months ago the people of America helped launch a great attack against the enemy by over-subscribing the Third War Loan Campaign. The attack is rolling along in full force. Everywhere the enemy is on the retreat. Now, more than ever before, we must back the courage and indomitable spirit of our fighting men and women with the supplies and equipment needed for victory.

As the battle goes into its all-out stage, we here at home must provide the funds for its early and successful conclusion. We have reached the crucial point in the war, and we must not fail to keep backing the attack.

NOW, THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby call upon all the people of New Jersey to support to the utmost, even to the extent of extreme personal sacrifice, the Fourth War Loan, which begins

JANUARY 18, 1944,

to the end that New Jersey will over-subscribe its quota of Six Hundred Million Dollars, and the Nation its quota of Fourteen Billion Dollars.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] eighteenth day of January, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The State Tax Commissioner on the twentieth day of January, one thousand nine hundred and forty-four, under the provisions of chapter eleven, Title 54, Revised Statutes, reported to the Governor a list of all corporations coming under this act; and

WHEREAS, The following-named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year one thousand nine hundred and forty-one, under the laws of the State of New Jersey, and made payable unto the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void, unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this Proclamation that the charters of the following-named corporations so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1941

A. A. Eisele Sons,
Abbott Engineering and Wholesale Co. Inc.,
Abbott Realty Company,
Abco Decal Company,
A. Bearison & Sons, Inc.,
A. B. Holding Co.,
Abramson's Dairies, Inc.,
Abrams Pharmacy, Inc.,
A & B Welding Co., Inc.,
Academy Auction Galleries, Inc.,
A & C Construction Co., Inc.,
Ace Auto Parts, Inc.,
Ace House and Window Cleaning Corporation,
Ace Stationery Co.,
Acme Beverage Company,
Acme Parlor Frame Company,
Acme Tailors & Cleaners,
Acoustical Applicators and Sales Corp. of N. J.,
Adams Clothes Shops Inc.,
A. D. Boulanger & Sons, Inc.,
A. De Fronzo Sons, Inc.,
Adell Construction Company,
Aderf Autotoriums Inc.,
Adesh Mills, Inc.,
Admore Sales Corporation,
Adrian Food Products, Inc.,
Ads Dress Co.,
Advance Carrier Corporation,
Advertising Change Tray, Inc.,
Advocate Publishing Company,
Aero Hobby Haven Inc.,
Aetna Plumbing & Heating Corporation,
A. H. T. Realty Company,
Aime Lariviere Inc.,
Air-Drome Diner,
Airport Smoke Shop, Inc.,
Airtrol Corp.,
Ajax Paint Co.,
A. J. Celiano, Inc.,

A. J. H. Realty Co., Inc.,
Akco Meat Market,
Akialis Service Stations, Inc.,
Albanese Plumbing & Heating Co. Inc.,
Albany Corporation,
Albert Building Company,
Albert J. Smith, Inc.,
Alcyon Park, Inc.,
Alden Park Manor Inc.,
Aldrich Land and Development Co.,
Al Eitner, Inc.,
Alfred L. Stansbury, Inc.,
Alfred O. Rieger Company,
Alhar Home Builders Corporation,
Alivite Bio-Labs Corporation,
The Allaire Hotel,
Allan Trucking Co., Inc.,
Allegri Ice Co.,
Allen B. Roth & Co.,
The Allendale, Inc.,
Allen's Cleansers and Dyers, Inc.,
Allied Builders, Inc.,
Allied Consolidated Industries,
Allied Enterprises, Ltd.,
Alloy Research Laboratories, Inc.,
Alltype Contracting Co.,
Alps Olive Oil Co. Inc. No. 2,
Al Ray Corporation,
Alsbro, Inc.,
Al's Sales & Service Station, Inc.,
The Alviene Shoppe, Inc.,
Amelia Holding Company,
American Box Co. Inc.,
American Box Lunch Co.,
American Cab Co. Inc.,
American Cabinet & Billard Co., Inc.,
American Case Digests Inc.,
American Co-Operative Sales Service Inc.,
American Foreign-Trade Zone, Inc.,
American Fur Coat Co. Inc.,
American Gas Stations, Inc.,
American Mortgage & Realty Co.,

American Nickel Products Corporation,
American Oil Burner Co., Inc.,
American Seaplane Ramp Co. Inc.,
American Shoe Stores Corporation,
American Shower Cabinet Co., Inc.,
American Stairbuilders and Cabinet Makers, Inc.,
American Televisor and Projector Corporation,
American Textile Engraving Works, Inc.,
American Tours, Inc.,
American Truck Parts Co.,
Amherst Garage, Inc.,
Amhurst Realty Corporation,
A. M. I. Distributing Co.,
Amirol-Admiracion Sales Corporation,
A. M. Krantz Company,
A. Natale, Inc.,
Anchor Piece Dye Works, Inc.,
Anchor Sportswear Company, Inc.,
Andeen Realty Corporation,
Andes Service Station, Inc.,
Andrew Olenik, Inc.,
Andrews, Incorporated,
Antergwen Corporation,
Apartment Properties, Incorporated.
Apartment Realty Co.,
Apex Cleaning & Dyeing Co., Inc.,
Apex Cube Steak Inc.,
Apex Metal Products Corp.,
Arax Service, Inc.,
A. R. Gasewind Co.,
Argonaut Apartments, Inc.,
Arkay Corp.,
Arling Company, Inc.,
Armory Merchandise Company, Inc.,
Armstrong Holding Co.,
Arno Corporation,
Arnold Motor Sales,
Arnold Realty Holding Co.,
The A, R & R Operating Co.,
Arrow Chemical Co.,
Arrow Embroidery Works, Inc.,
Arrow Iron Co., Inc.,

Arrow Oil Corp.,
Arthur H. Bernstein Co. Inc.,
Arthur Venneri Company,
Artscru Corporation,
Asbury Liquors, Inc.,
Asbury Park Rug and Carpet Corporation,
Asbury Trading Co.,
Asher-Batzer Service,
A. S. Melroy Company, Inc.,
Associated Construction Co.,
Associated Hosiery Dyers, Inc.,
Associated Realty Interests,
Association of Investors,
Astor Amusement Co.,
"Astor Bar & Restaurant, Inc.",
Astor Trading Corporation of New Jersey,
Athenia Supply Co. Inc.,
A. Thos. Malanga, Inc.,
Atlantic City Eagle Publishing Company, Inc.,
Atlantic County Breeders' Association, Inc.,
Atlantic Hosiery Mills Inc.,
Atlantic Housing Company, Inc.,
Atlantic Lacquer Mfg. Co.,
Atlantic Market Inc.,
Atlantic Narrow Fabric Corp.,
Atlantic Operating Company,
Atlantic Pictures, Inc.,
Atlantic Shores Sanitarium and Hospital, Inc.,
Atlantic Woodcraft Company,
Atlas Auto Repair Company, Inc.,
Atlas Petroleum Corp.,
Atlas Trading Corp.,
Atlas Wrapping Machine Co.,
The August Company,
August E. J. Dunnder, Inc.,
Augustus J. Bender Realty Corporation,
Automatic Bridge Table Corporation,
Automatic Display Company, Inc.,
Automatic Electrical Devices, Inc.,
Automatic Heating & Air Conditioning Co. Inc.,
Automotive Officers Inc.,
Auto Specialties Corporation,

Avenue Grill,
Avondale Hat Co., Inc.,

Bacheller's, Inc.,
Bachman's Market, Inc.,
Bader Paint & Varnish Company, Inc.,
Bailey's, Inc.,
Baker-Flick Co.,
Bakery Mart of East Orange, Inc.,
The Bakery Mart of N. J.,
Bamboo Garden Restaurant Co. of Union City, a Corporation,
Bankers Acceptance Corporation,
Bannard Furniture Company,
Banner Service Garages, Inc.,
Bargain Center of Passaic, Inc.,
Barnaby Company,
Barnard Aeronautical Corporation,
Barnegat Inlet Yacht Basin,
Barnes & Reid, Inc.,
Barnet Brodie's Restaurant,
Barone Trucking Corp.,
Barrie, Inc.,
Bartram Delicatessen, Inc.,
Bay Development Corporation,
Bayonne Pleasure Enterprises, Inc.,
Bay Provision Co., Inc.,
Bay Realty Co.,
Bayway Construction Company,
Bayway Contracting Company, Inc.,
B. & D. Construction Co., Inc.,
B. D. & R. O. Thomas, Inc.,
Beachcomber's Restaurant, Inc.,
Beach Front Restaurant Company,
Beach Market, Inc.,
Bebe Realty Associates, Inc.,
The Bedell Holding Co., Inc.,
Bee Diner, Inc.,
Beer Control Systems of New Jersey, Inc.,
Be-Free Inc.,
Beiser-Rosenbaum Co. Inc.,
Bekins Van Lines,
Bekins Van & Storage Company,

Belanus Fuel Co. Inc.,
The Belber Trunk and Bag Company No. 1,
Bel-Jon Corp.,
Belleville Beverage Co., Inc.,
Belleville Properties, Inc.,
"Bellmore Corporation,"
Bell Piece Dye Works,
Belmont Lunch & Confectionery, Inc.,
Belmont Window Cleaning Co., Inc.,
Belmore Cafeteria, Inc.,
Bel-Rose Silk Company,
Belvedere Beach, Inc.,
Benco Company, Inc.,
Bennett Air Service, Seaplane Division,
Bennett Fuel Oil Co. Inc.,
Ben Schwartz Agency,
Benson Beef Co.,
Bentley H. Pope, Inc.,
Bergen Acres, Inc.,
Bergen Appliance Distributors, Inc.,
Bergen Beverage Co.,
Bergen Builders, Inc.,
Bergen Bulletin Publishing Corporation,
Bergen Construction Co.,
Bergen County Agency Inc.,
Bergen County Airport, Inc.,
Bergen County Fertilizer Co.,
Bergen County Investment Company,
Bergen County Painting and Decorating Co. Inc..
Bergen-Court Tavern, Inc.,
Bergenfield Dairy Co., Inc.,
Bergenline Liquor Co., Inc.,
Bergen-Newkirk Realties, Inc.,
Bergen-Normandy Laundry, Inc.,
Bergen Pike Service Station, Inc.,
The Bergen Surety Underwriters,
Bergen Taxi Co., Inc.,
Bergen-York Realty Company,
Berger's Watch Shop, Inc..
Berkeley Beverage Co., Inc.,
Berkeley Beverage Inc.,
Berkeley Sweet Shop,
Berk Manufacturing Co. Inc.,

Berkshire Beverage Company,
Berkshire Farms, Inc.,
Berkshire Park Homesites,
Berman Silk Co., Inc.,
Berry Schilling, Inc.,
Berton Ice and Cold Storage Company,
Bess Holding Corporation,
"Best-Bilt" Homes Inc.,
Best Maid Hat Co., Inc.,
Bethlone, Inc.,
Beth Realty Company, No. 1,
Better Homes Improvement Corp.,
Better Homes Inc..
Beuerlein-Hunter Corporation,
Beverage Service, Inc.,
Beverly Frocks, Inc.,
Beyer Auto Sales Co., Inc.,
B. G. Company, Inc.,
Biddle Laboratories, Inc.,
Big City Market, Inc.,
Big Horn Riding Academy Inc.,
Big Town Enterprises, Inc.,
Bill Ellenberg, Inc.,
Bilt Rite Neon, Inc.,
Binder Realty Corp.,
Birkendene, Inc.,
B. & J. Trucking & Forwarding Co. Inc.,
B. Kantor and Sons, Inc.,
Blackburne Realty Co.,
Blackstone Hotel,
Blackwood Amusement Co. Inc.,
Blaisdell Machine Works,
Blank & Stoller Corp.,
B. L. Cahn, Inc.,
B & L Drug Co.,
The Bliss Laboratories Corp.,
B. & L. Management Co.,
Bloomfield Park Estates, Inc.,
Bloomfield-Summer Development Corporation,
Blue Bird Grocery Company, Inc.,
The Blue Door, Inc.,
Blue Ribbon Motors, Inc.,
Blue Ribbon Shell Fish Co. Inc.,

B. & M. Novelty Co.,
Boardwalk Casino Restaurant, Inc.,
Boardwalk Fashion Shop, Inc.,
Boardwalk & Texas Realty Co.,
Bob & Jack, Inc.,
Bob White New Jersey Frosted Foods, Inc.,
B & O Corporation,
Bodine Chew & Company,
Bogert, Inc.,
Bogota Sweet Shoppe, Inc.,
Bon Air Park, Inc.,
"Bond Corp.",
Bonded Collection & Adjustment Co.,
Bond Tool & Mfg. Co.,
Bonham & Young Co.,
Bonheur Corporation,
Bonnet Fuel Co.,
Book Fair, Inc.,
Boonton Investing Corporation,
Boos Realty Co.,
B & O Radio, Inc.,
Borden Dress Inc.,
The Bordentown Dress Co. Inc.,
Boro Diner,
Borough Press, Inc.,
Borromeo's Pharmacy,
Bottom Serum Company,
Boulevard Service Station Co.,
Boyd Men's Shops, Inc.,
Bradley Paper Box Corp.,
Branchville Theatre Corporation,
The Brass Ring,
Brayme Realty Company,
Bred Realty Company,
B. & R. Embroidery Works,
Brently Clothes Inc.,
Brewer & LeBlanc, Inc.,
Brewster Finishing Co. Inc.,
Bridgeton Auto Exchange,
Briegel Park, Inc.,
Bright Spot,
Bristol Tobacco Co.,

B. R. L. Investment Company,
Broadacre Construction & Development Corp.,
Broad and Kinney, Inc.,
Broadview Company, Inc.,
Broadway Development Corporation,
Broadway Inn, Inc.,
Broadway Milk Bar, Inc.,
Broadway Wine & Liquor Stores, Inc.,
Brockway Fast Motor Freight, Inc.,
Broder Novelty Company,
Bronfman Fuel Co.,
Bronx & Washington Heights Jewish Review, Inc.,
Brook-Elm Realty Company,
Brooklawn Homes, Inc.,
Brookshire Clothes,
Brown Friar, Incorporated,
Brownie Garments, Inc.,
Brown's Poultry Farm, Incorporated,
Bruso Realty Co.,
Budd Lake Store,
Budget Homes, Inc.,
Buermann and Williams,
Buffer Laboratories,
Burck & Co., Inc.,
Burkol Co.,
Burleigh Brooks Manufacturing Company, Inc.,
Burlington Textile Mills, Inc.,
Burstan Land Company,
Burwell Development Co.,
Bush Coal Co.,
Buttermere Improvement Co.,
B. & W. Realty Co. Inc.,

The Cake Box Inc.,
Calado Mining and Exploration Company, Inc.,
Calcium Products Inc.,
Calder Construction Co.,
Caldwell and Gawley, Inc.,
California Importing Corporation,
Cambex Corporation,
Cambridge Homes, Inc.,
Camden Bottling Co., Inc.,

Camden Commercial Agency, Inc.,
Camden Tanning Company,
Camera Exchange,
Campbell Industries, Inc.,
Camptown Coal & Ice Company, Inc.,
Canoe Brook Construction Company,
Cape May Palace Corporation,
Capital Funding Corporation,
Capital Waste Materials Corp.,
Capitol City Coach Company,
Capitol Liquor Stores Co.,
Capitol Luminous Tube Sign Co.,
Carabao Horn Products, Incorporated,
Carl Almind, Incorporated,
Carl E. Kees, Inc.,
Carlen Construction Corporation,
Carmen Hosiery Sales Corp.,
Carmer Corporation,
Carteret Auto Supply Company, Incorporated,
Casco Holding Company,
The Castle Corporation,
Castle Garden, Inc.,
Cavalier Fur Corp.,
C & B Dress Mfg. Co.,
C. De Grado & Sons, Inc.,
Cedar Brook Heights Development Corporation,
Cedar Lane Realty Co.,
Cedar Realty Co.,
Cee Gee Hat Co., Inc.,
Cee Gee Hat Manufacturing Corp.,
Center Wine and Liquor Corporation,
Central Adjustment Bureau,
Central Bargain Bazaar,
Central Bootery, Inc.,
Central Fruit & Produce, Inc.,
Central Hotel Corporation,
Central Jersey Heating Co.,
Central Tobacco and Candy Co.,
Central Union Realty Co.,
Central Waste & Wiper Co.,
Century Home Improvement Co.,
Century Oil Co.,

Century Roofing Supply Co.,
Certified Home Builders,
Cervesi's Twin Garage Inc.,
Chaleur Textile Company,
Chalmer Realty Corp.,
Champion Laundry, Inc.,
The Chanel Corporation,
Chapman Grill, Inc.,
Chardelle, Inc.,
Charich Realty Company,
The Charles Company, Inc.,
Charles Cona Building Company,
Charles Fisher, Inc.,
Charles J. Barkhorn Lumber Company,
Charles J. O'Dowd & Co., Inc.,
Charles J. Wille, Jr., Company,
Charles R. Hunter, Inc.,
Charles Trucking Co., Inc.,
Charley's Express, Inc.,
Charlie's Market, Inc.,
Chase Restaurants Inc.,
Chatham Market, Inc.,
Chelsea Bar and Restaurant,
Chemical Products Company of New Jersey, Inc.,
Chemicals For Industry Incorporated,
The Chemical Trading Corporation,
The Chemic Press, Inc.,
Chemists Club Laboratories, Inc.,
Chemo Coatings Corporation,
Chemo Plating Co. of New Jersey Inc.,
Cheses Construction Co.,
Chessin & Company, Inc.,
Chester Farms, Inc.,
Chic Children's Dress Co.,
Chic Hat Co. Inc.,
Chili House Inc.,
C. H. Johannsen & Co.,
Cinema Amusement Company,
Circle Amusement Co.,
Circle Station Garage,
Cirelli Food Store,
Citadel Corporation,
Citron Fur Dressing Company,

City Mortgage Company,
City Opticians, Inc.,
City Parking Meter Company, Inc.,
City Sales Store,
Clare Development Company,
Clark Lumber Company,
Clark's Market, Inc.,
Classic Underwear Corporation,
"Clayre,"
Cleanart, Inc.,
Cleveland Construction Company,
Cliff Novelty Co., Inc.,
Cliff Plumbing Supply Company,
Clifton Fixture & Building Co. Inc.,
The Clifton-Passaic Company,
Clinton Agency,
Clinton B. Ayars Canning Company,
"Clinton Bedding Co., Inc.",
Clinton Finance Co.,
Clinton Super Service,
Clipper Coat Co.,
C. L. J. A. Realty Co.,
Closter-Bergen Co.,
Closter-Central Building Inc.,
Clover Dairies,
Clover Dairies, Inc.,
Clover Inn, Inc.,
Club Parsippany, Inc.,
Coal Carburetor Company,
Coit Realty Co. Inc.,
Colbro Corporation,
Cold Lite Sales, Inc.,
Coleman Refrigeration Supply Co. Inc.,
Colland Company,
College Sport Shop,
Coll-Lind, Inc.,
Colonial Distributors, Inc.,
Colonial Garden Homes, Inc.,
Colonial Ice Cream Co.,
Colonial Liquor Corporation, No. 2,
Colonial Title Transfer Company,
Colony Realty Co.,
Colony Theatre, Inc.,

Colored Comic Continuities, Incorporated,
Colton Insecticide Company,
Columbia Button & Novelty Mfg. Co.,
Columbia Hotel, Inc.,
Columbia Paint & Varnish Works, Inc.,
Columbus Corporation,
Comet Oil Co., Inc.,
Commercial Agency,
Commercial Chemical Corporation of N. J.,
Commercial Systems Inc.,
Community Corporation Incorporated,
Community Laundry, Inc.,
Compact Construction Corporation,
Congorno Realty Corporation,
Congress Holding Co.,
Conlon & Sire, Inc.,
Conn Bros. Inc.,
Conservation Realty Co.,
Conserv-A-Watt, Incorporated,
Consolidated Liquidation & Adjustment Agencies,
Consolidated Mountain Lines Inc.,
Consolidated Processing Company, Inc.,
Consolidated Securities Corporation,
Consolidated Trouser & Sportswear Co., Inc.,
Construction Realty Company,
Constructors Inc.,
Consumers Coal Truckers Assn., Inc.,
Consumers Sales Company, Inc.,
Continental Construction Co.,
Continental Holding Company,
Cooperative Consumers' League,
Cooper Coal Company Inc.,
Coopers' Lunch Co.,
"Cop-the-Cream Milk, Inc.",
Cordts Furniture Company,
Cornell Holding Co.,
The Corning Development,
Cornman Engineering Corporation,
Cornwall Realty Co.,
Coronet Curtain Corp.,
Corrado-Degroodt Corporation,
Country Homes, Inc.,

County Farms, Inc.,
C. P. Mayer Brick Company,
Craftsman Home Builders, Inc.,
Crandall & Jeffrey, Inc.,
Crane Drug Co., Inc.,
Cranford High Grade Market,
Crater Motors, Inc.,
Crawford-Jersey Corporation,
Crayfield Holding Co., Inc.,
Credit Clearing Association of New Jersey,
Credit Tire Stores, Inc.,
The Cref Co., Inc.,
Crescent Golf Practice Fairways, Inc.,
Crest Construction Co. Inc.,
The Crest Tavern, Inc.,
Criterion Silk Manufacturing Co.,
Croce-Garbarine Co., Inc.,
Cromo Laboratories, Inc.,
Crosley Coal Co., Inc.,
Cross Stamp Company,
Crosstown Building Supply Corp.,
Crown Sanitary Products,
Crown Textile Co. Inc.,
Croydon Robe & Specialty Co., Inc.,
Crystal Monument Company, Inc.,
C. S. Corporation,
C. S. and J. Holding Corporation,
C. Stohn's Sons,
Cumfield Realty Corporation,
Curtis-Wood Corporation,
Cutler Company,
Cut Rate Fruit & Vegetable Market, Inc.,
C. Van Beveren & Sons, Inc.,

Dalco Company,
Dalegrod Holding Corporation,
Dalford Corporation,
Da-Lite Fluorescent Co.,
D'Amico Macaroni Co. Inc.,
Daniel E. Politica, Inc.,
Daniel J. O'Leary Construction Company,
Danmar Realty Co., Inc.,

The Danner Company,
D'Avella Macaroni Co., Inc.,
David B. Reidy, Inc.,
David Houston Corporation,
David's Inc.,
Daylight Painters Inc.,
Dayton Beach Co., Inc.,
D. & D. Transportation Co.,
Deal Syndicate, Inc.,
De Camp Moving Company,
Delford Bar and Grill, Inc.,
Deli-Shops, Inc.,
Del Monte Frocks, Inc.,
Del-Sea Clothing Corporation,
De Luxe Home Improvement Company,
Delvar Realty Company,
Demarest Corporation,
"Denhart Hosiery Mills",
Deninson Engineering Co.,
Department Realty Co.,
Deubel High Pressure Rotary Pump Corp.,
DeVos Realty Corporation,
Dew Belle Dairies,
De Witt Business Equipment Corporation,
De Witt College,
Diane Dress Shop, Inc.,
Dian's Bake Shop, Inc.,
Dickerson Co.,
Diesel Products Corporation,
Diesel Sales Corporation,
Dikris Realty Corporation,
Dinkelspiel & Co. Inc.,
Dinner Bell, Inc.,
The Distillator Management Company, Inc.,
Dixie Oil Co.,
D. and K. Conover, Inc.,
D. Land Corporation,
Dobbs Inc.,
The Dobkin Realty Co.,
Dodd Pharmacy, Inc.,
Dodgers Bar & Grill, Inc.,
Dolly Madison Realty Company,

Domestic Realty Company,
Donau Corporation,
Don C. Wheaton & Co., Incorporated,
Donfree Theatre Co., Inc.,
Donnelly Motors, Inc.,
Donner's Truck Terminal, Inc.,
Dorida Greeting Card and Novelty Co.,
Doris Stores, Inc.,
Dorsey Motors Inc.,
Dorsil Holding Co.,
Dorwill Holding Co.,
Douglas Builders, Inc.,
Downtown Realty Company,
Downyflake Food Shoppe, Inc.,
D P & B Market, Inc.,
Drake Estates, Inc.,
D. & R. Transportation Co., Inc.,
The Drug Show Window, Inc.,
Dry Cleaning and Laundry Service, Inc.,
Dual Display Company, Inc.,
Dual Holding Co.,
Dubuque Safety Pulley Corp.,
Dueth Garment Hanger Corporation,
Dumac, Inc.,
Dunbar Clay Products Company,
Dunbar Realty and Investment Company,
The Dural Rubber Corporation,
Durham Farm Products, Inc.,
Durham Safety Razor Company,
Dustoil Chemicals Inc.,
Dux Realty Co.,
Dyers and Finishers Institute of America,
Dymon Glass Co.,

"Eagle Construction Company, Inc.",
Eagle Optical Manufacturing Co.,
Eagle Rock Hosiery Mills, Inc.,
Eagle and Star Dress Co. Inc.,
Eagle Tea Company,
Eastern Flying School, Inc.,
Eastern States Safety Service, Inc.,
Eastern Terra Cotta Company,
E. & B. Farms, Inc.,

Echo Park Land Company, Inc.,
Eclectic Furniture, The New Period in Furniture,
Economy Auto Service, Inc.,
Economy Home Builders, Inc.,
Economy Stores,
"Eddie's Market, Inc.",
Eden Neckwear Co.,
Edgewood Estates Inc.,
Edre', Inc.,
Edre Realty Co. Inc.,
Edward H. Cutler Company,
Edward J. Borden, Inc.,
Edwards Contracting Co., Inc.,
Edward W. Berger and Bro.,
Edwin Burhorn Company,
Efem Corporation,
Eften Corporation,
E. Grodberg & Son, Inc.,
Egyptian Products Co.,
89-91 Ferry Street, Inc.,
Eisler's Inc.,
Eisner Corporation,
E. J. Waters, Inc.,
"Eldean Company,"
Electric Sewing Machine Corporation,
Electro Photo-Engraver Co.,
Elfenbein's Baking Corporation of N. J.,
Elgor Realty Corporation,
"Elichman's Awning & Shade Co. Inc.",
Elite Family Laundry, Inc.,
Elizabeth Building Co.,
Elizabeth Chamber of Commerce Exposition Co. Inc.,
Elizabeth Java House, Inc.,
Elizabeth Mortgage Corporation,
Elizabeth Motor Car Co. Inc.,
Elizabeth Roller Skating Rink, Inc.,
Elizabeth Terminal Diner, Inc.,
Elizabeth Welsh Beauty Academy Inc.,
Ell and Jay Realty Co., Inc.,
Elmar Realty Co. Inc.,
Elmora Dairy Products Co.,

Elm Park Estates, Inc.,
Elmside Holding Company, Inc.,
Elvira Realty Company,
E. L. & W. Corporation,
Elycroft Farms,
E. L. Young Holding Company,
Elysian Fields,
Embassy Drug Co.,
Embassy Food Shop,
Embroidery Mending Corp.,
Emco Clothiers, Inc.,
Emdur Realty Co., Inc.,
Emerson Beef Company,
Emerson Food & Provision Co., Inc.,
Emmons Holding Co.,
Empire Builders, Inc.,
Empire Non-Fading Print Co., Inc.,
Empress Knitwear Corp.,
Enbee Corporation,
The Endless Circle Corporation,
Engineering Products Co.,
Engineering Products Service, Inc.,
Englewood Big Leader, Inc.,
The Englewood Cliffs Sewerage and Drainage Company,
Englewood Food Center,
Ensel Appliance Sales, Inc.,
Erlton Company,
Ernest A. Gibbons Company,
Ernest Realty Corporation,
Esanel Realty Company,
Esco Realty Co. of Paterson, N. J.,
Esen Laboratories, Inc.,
Esquire Estates, Inc.,
Essex Contractors, Inc.,
Essex Land and Improvement Company,
The Estate Company, Inc.,
Estate of Jacob Adler Inc.,
Estee Engineering Co.,
Estherdale Dairy Products, Inc.,
E. T. Bradway Inc.,
Ethel Bellamy, Inc.,

Eureka Builders Corporation,
Eureka Chemical Company,
Eureka Produce Corporation,
Eva Realty Co.,
The Evelyn Shop, Inc.,
Ever-Ready Manufacturing Co.,
E. W. C. Co. Inc.,
Ewing Gardens, Incorporated,
Excello Water Co. Inc.,
Excelsior Terra Cotta Company,
Expert Dyeing Company,
Expert Home Builders, Inc.,
Express Stages, Inc.,

Faber and Berner,
Fair Investment Co.,
Fairland Sales Corporation,
Fair Lawn Beach Tavern, Inc.,
Fairlawn Coffee Shop, Inc.,
Fair Lawn Newspaper Printing Corp.,
Fair Lawn Radburn Agency,
Fairmount Cigar Inc.,
Fairview Properties, Inc.,
Fairview Realty Company,
Fairway Construction Company, Inc.,
Fairway Incorporated,
Falardeau Flower Shop,
Fam Co., Inc.,
Family Service, Inc.,
Fanwood Company,
Farley's Drug Store, Inc.,
Farm Acres, Inc.,
Farmers Exchange Company,
Farmers' Exchange Realty Co.,
Farm Products Trucking Corporation,
Farnum Corporation,
Farragut Realty Associates, Inc.,
Farview Estates, Inc.,
Fashion Frocks Inc.,
Fashion Millinery, Inc.,
Faurot Protective Identification System, Inc.,
F. C. Haase, Inc.,

F. E. Canon & Son, Inc.,
Federal Iron & Metal Company,
Federal Motor Co., Inc.,
Federal Music Company,
Feingold Painters & Decorators, Inc.,
Fenchel Realty Co., Inc.,
Fenkart & Sons, Inc.,
Fern Rock Realty Company,
Ferris Realty Co.,
F. F. and E. Confectioners, Inc.,
Fidelity Moving & Storage Co.,
Fidelity Products Co. Inc.,
Fidex Co., Inc.,
Fido Petroleum, Inc.,
Field's Merchandising, Inc.,
15 Tonnele Ave., Inc.,
55 So. Munn Ave. Inc.,
54 Realty Company,
56-60 Cedar Avenue,
Fike Motor Car Company,
Financial Factors Corporation,
Fine Neckwear, Inc.,
Finolene, Inc.,
Firestone Realty Co.,
First Avenue Realty Corporation, Inc.,
First Grand Rapids Corporation, Inc.,
First Rapids Furniture Co. Inc.,
First Trip Realty Corporation,
"Fir-Yon", Inc.,
Fisher Realty and Construction Company,
Fishers Service Garage, Inc.,
The 5c Cup Inc. of New Jersey,
Five Hundred Central, Inc.,
545 High Street Co., Inc.,
543 Realty Co. Inc.,
594—36th Street, Inc.,
F. J. O'Toole Associates,
Flagstaff Food Products, Inc.,
Flanagan Electric,
Flax Tinsmith & Roofing Co.,
Flink Agency,
Flojac Corporation,

Fluid Fuel & Engineering Co.,
Fluorescent Lighting Institute, Inc.,
Fluorescent Metalcrafts, Inc.,
Fords Pharmacy, Incorporated,
Foremost Cleaning & Dyeing Co. Inc.,
The Forshan Company,
Forster's, Inc.,
Fort Dix Holding Co., Inc.,
Fortescue Captains' Association,
Forty Five Parkway Realty Company,
Four Hundred Cedar Lane Inc.,
480 Palisade Ave., Corp.,
468 Avon Corp.,
Fourteenth St. Wine & Liquor Store Inc.,
F & R Amusement Co. Inc.,
Francis Lederer Productions, Inc.,
Franco's All American Truck Terminal, Inc.,
Frandel Corporation,
Frank A. Pullis' Son, Inc.,
Frank A. Quackenbush, Inc.,
Frank Gorrill, Inc.,
Frank G. Parker & Co., Inc.,
Frank Hughes,
Frank J. Beltramo, Inc.,
Frank Kearney Lumber Co. Inc.,
Franklin Bros. Inc.,
Franklin Department Stores Corporation,
Franklin Industries, Inc.,
Franklin Market, Inc.,
Franklin Millinery of Perth Amboy, Inc.,
Franklin's Millinery, Inc. of Plainfield,
Franklin Stores Co.,
Franks Realty Co., Inc.,
Frank Vonella, Inc.,
Frederick J. Fischer, Inc.,
Frederick Realty Corporation,
Fred J. Bock, Inc.,
Freehold Building Company,
Freehold Family Market, Inc.,
Freehold Realty Co. Inc.,
Freese, Inc.,
French Bootery, Inc.,

The French Investment Company,
Fresh Pond Poultry Farms, Inc.,
Friedberg's Art Exchange, Inc.,
Friedman Realty Co. (No. 2),
Frigiant Corporation,
Fritzsch Roofing Works, Inc.,
Frohlich, Inc.,
Fuller Holding Co.,
The Funday Puppeteers, Inc.,
Funk & Sutphin, Inc.,
Furmode Company, Inc.,
F. W. Allen Co., Inc.,
F. W. Horstmann Company,
F. & W. Realty Co.,
F. Z. Mortgage Co., Inc.,

Galen Hall Company,
Gamby Shoppe, Inc.,
Garden Homes, Inc.,
Garden Inn Restaurant, Inc.,
Garden Peat Humus Corporation,
Garden State Apartments, Inc.,
Garden State Grocers,
Garden State News Co.,
Garden State Stores, Inc.,
Garden State Stores of Newark, Inc.,
Garden Villa, Inc.,
"Garfield Footwear Co. Inc.",
Garfield Macaroni Manufacturing Co., Inc.,
Garo Transportation Co., Inc.,
Garwood Quality Food Market, Inc.,
Gatov Construction Co.,
Gay, Inc.,
G. B. W., Inc.,
G. Demerast, Inc.,
G. D. Pierce, Inc.,
Gebert & Drew, Inc.,
G. E. Bliss Inc.,
Gem Amusement Company,
"General Beverages, Inc.",
General Candy Co., Inc.,
General Development Corporation,

General Leather Handbag Company, Inc.,
General Overall Cleaning Co. Inc.,
General Piece Dye Works, Inc.,
General Plumbing Contractors, Inc.,
General Products Corporation,
General Surveys, Inc.,
"G. & E. Novelty Corp.",
Genuine Honey Cures, Inc.,
George Cohen & Company,
George H. Kisby and Sons, Inc.,
George's Shrimp Cocktail, Inc.,
George W. Oliver & Son,
Georgian Homes, Inc.,
Georgia Realty Co.,
Germaine Montabert, Inc.,
G. F. Sulzberger, Inc.,
G. & G. Drugs, Inc.,
Gift Box, Inc.,
Gilstrand Realty Company,
Giorgio Brothers,
Gist-Doupe Company,
Gladstone Shops, Inc.,
Glassman Glass Co.,
Gleason Investment Company, Inc.,
Glen-Dale, Inc.,
Glengyle Company,
Glenside Company,
Glenwood Manufacturing Co. Inc.,
Glo-Bar Corporation,
Globe Construction Company,
Globe Furniture Exchange,
Globe Garages, Inc.,
Globe Poster Corporation of N. J.,
Globe Realty Company, No. 1,
G. Loewus & Co., Inc., No. 1,
Goeller Steel Company,
Goertz Bros., Inc.,
Goffle Brook Park Estates,
Golden Arrow Trucking Co., Inc.,
Goldin Building Co., Inc.,
Gold Seal Trucking Corporation,
Goldstein Fineberg Company,

Gollin Coal Company,
Gonzer Co. Inc.,
Good Food, Inc.,
Good and Lord, Incorporated,
Goodman Drug Stores,
Gordon Greenhouses, Inc.,
Gordon's Express Inc.,
Gordon's Inc.,
Gottlieb's Department Store, Inc.,
Gowin United, Inc.,
Grand Rapids Factory Show Rooms Inc.,
Grand Shortening Company, Inc.,
Graphic Learning Inc.,
Grau Incorporated,
Graylon Holding Corporation,
"Great-American Sales Company",
Great Eastern Adjustment Bureau Inc.,
Greater Camden Development Co.,
The Great I. & D. Grocery Co., Inc.,
Great Notch Realty Company,
Greco & Carosella Company,
Greenacres,
Green Acres Farms, Inc.,
Green Ball Tavern Corp.,
Green Home Improvement Co.,
Green Investment Company,
Green Rubber Manufacturing Co.,
Greenwich Beauty Salon, Inc.,
Grefand Corporation,
Gregory Motor Co.,
Grenloch Park, Incorporated,
Greta Realty Corporation,
Greyhound Holding Company, Inc.,
Greylock Realty Co.,
Grob Construction Company,
Grotto Realty Co.,
Group Buying Service of N. J.,
Grove Home Construction Company,
Grove Service Stations Corp.,
Grove Terrace Delicatessen, Inc.,
Grove Wood Corporation,
Gruenberg Radio Company, Inc.,

G. Thomas French, Inc.,
Gualano & Gualano Roofing Co. Inc.,
Guarantee Meat Markets, Inc.,
Guarantee Oil & Supply Co. Inc.,
"Guaranty Contracting Co. Inc.",
Guaranty Investment Corporation,
Guardian Associates, Inc.,
Guardian Mortgage & Investment Co.,
The Guild Corporation,
Gus Steck Orchestras, Inc.,
Gus Wikfors & Co.,
Gutradt's Atlantic City Auction Galleries, Inc.,
G. V. McDonough Oil Co.,
G. Wentworth Miller Realty Co., Inc.,
G. & W. Lunch, Inc.,
Gypsy Camp,

Haberman Glass Co., Inc.,
Hackensack Plumbing Supply Co. Inc.,
Hackensack Swimming Pool, Inc.,
Haddon Real Estate Co.,
Haig Realty Co.,
Half Moon Barbecue, Inc.,
Hallam Full Fashion Hosiery Co. Inc.,
Halliwell Transportation, Inc.,
Halsey Cafe, Inc.,
Halsey Hill Auto Service Inc.,
Hamblet Industries Inc.,
Hamilton Builders, Inc.,
Hamilton Fruit Produce Co., Inc.,
Hamilton Wrecking Service, Incorporated,
Hammer's, Inc.,
H. A. N. Dress & Sports Wear, Inc.,
The Hangar,
Hank's Service, Inc.,
Happiness Bargain Stores Inc.,
Hapward Bros., Inc.,
Harben, Inc.,
Harbor Inn, Inc.,
H. & A. Realty Company,
Harels Ladies' Apparel, Inc.,
Haren, Inc.,

Harfal Corporation,
Hargin Realty Company,
Har-Jen Corporation,
Harold R. Greene & Company, Inc.,
Harold's White Rock,
Harredna Inc.,
Harris Alloys, Inc.,
The Harrison Dress Company,
Harrison Recreation, Inc.,
The Harrison Tavern, Inc.,
Harrison Truck Exchange,
Harry "A" Chesler Features Syndicate Inc.,
Harry F. Speir, Inc.,
Harry L. Koplin, Inc.,
Harry Rose Diner Inc.,
Harry's Highway Diner,
Harry Solof, Inc.,
Harry Taub Plumbing and Heating Company,
Hartfield House, Inc.,
The Hartmann Manufacturing Company,
Harts Shoes, Inc.,
Harwein Holding Co.,
Hasbrouck Engineering, Inc.,
Hattaway's Food Shop Inc.,
The Haunted Lodge, Inc.,
Hawes Manufacturing Company, Inc.,
Haynes Agency, Inc.,
Hazelhurst Lake Development Corp.,
H. B. Halsey Company,
H. C. Berger, Inc.,
H. & C. Corp.,
H. Cohen's Department Store, Inc.,
H. D. & D. Realty Corporation,
H. Demel Coal & Fuel Oil Co.,
Heating Service Corporation,
Hedgerow Farms, Inc.,
Hegner, Klein & Co., Inc.,
Helderman Painters & Decorators Inc.,
Helenic Holding Company, Inc.,
Hendler Realty Company,
Hen-Maid Poultry Equipment Co.,
Henry & Co.,
Henry E. Shapiro, Inc.,

Henry Kleinhans, Inc.,
Henry Korn Inc.,
Herbal Laboratories, Inc.,
Herbert Bus Company, Inc.,
Herines-Gampel Construction Co. Inc.,
Herman Pfadenhauer, Inc.,
Herman's Food Centre, Inc.,
Heyman & Co.,
H. & F. Construction Co.,
H. G. M. Realty Company,
Highpark Theatre Inc.,
Highway Freight System, Inc.,
Highway Holding Co.,
Highway Products Inc.,
Hilda MacDonald Sportswear, Inc.,
The Hillcrest Manor Corporation,
Hillside Laundry, Inc.,
Hi-Way System, Inc.,
Hobbs,
Hoegger Realty Corporation,
Hofbrau, Inc., No. 1,
Hoffman Barite Corporation of New Jersey,
Hollander Stores Corporation,
Holland Grill, Inc.,
Holly Development Co.,
Hollywood Amusement Co.,
Home Builders of America, Inc.,
"Home Builders Co. West Atlantic City, N. J.",
The Home Department Store, Inc.,
Homer-Alexander Publications, Inc.,
Homer Investment Co.,
Homes Beautiful Corporation,
Homes Built to Order Corporation,
Home Supplies, Inc.,
The Home-Way Laundry Company,
The Hopewell Valley Canning Company,
Hopp's, Inc.,
Horton & Field,
Hosiery Dyers Corporation,
The Hostess, Inc.,
Hotel Colleen,
Hotel Washington, Inc.,
House of Leon, Inc.,

Housing Realty Co.,
Houston-Kennedy Agency, Inc.,
Howard Products Company,
H. & R. Realty Co., Inc.,
H. & S. Amusement Company,
H & S Auto Service, Inc.,
Hubert A. McMahon Estate, Inc.,
Hub Food Store, Inc.,
Hudson Beer Systems, Inc.,
Hudson Clothing Inc.,
Hudson County Construction Co., Inc.,
Hudson County Marble Corp.,
Hudson Gas Appliance Co., Inc.,
Hudson Properties Inc.,
Hudson River Terminals, Inc.,
Hudson Stores, Inc.,
Hudson Terrace Holding Company,
Hudson Vending Company, Inc.,
Hudson Woven Label Co.,
Hughes Homes, Inc.,
Hull Realty Corp.,
Hum Realty Co.,
Hunterdon Development Co.,
Hunt's Century Theatre, Inc.,
Hunt's Gaiety Theatre, Inc.,
Hunt's Trenton Theatres, Inc.,
H. V. Garrison, Inc.,
H. W. Larason, Inc.,
Hy Corporation of Newark, New Jersey,
Hy Dry Products, Inc.,
Hygar Investment Co.,
Hy-Grade Fuel Oil Co.,
Hygrade Stores, Inc.,
Hy-Grade Utilities, Inc.,
"Hyman's Shore Restaurant, Inc.",
"Hy-Tan Food Markets, Inc.",
Hyview Terrace, Inc.,
Hyway Enterprises, Inc.,

Ideal Leather Novelty Co., Inc.,
Idle Hour,
Idlewild Estates Corporation,
Ilson Realty Co.,

Impact Tools, Inc.,
Imperial Distributing Corporation,
Imperial Realty Corporation,
Imperial Restaurant, Inc.,
Impregnated Timber Corporation,
Independent Beef Co., Inc.,
The Independent Meat Dealers of New Jersey,
Industrial Export Corporation,
Industrial Properties Corporation,
Industrial and Residential Sites, Inc.,
Industrial Traffic Service,
Ingram Inc.,
Inland Construction Company,
Inlet Hotel Company of Wildwood, N. J.,
Interboro Realty Company,
Intercounty Builders, Inc.,
Interstate Garage Corporation,
Interstate Speedways,
Interstate Tire Exchange, Inc.,
Interstate Underwriters, Inc.,
Intertowns Food Market, Inc.,
Intervale Holding Corporation,
Investment Discount Company,
Inwood Construction Co., Inc.,
Irma Hat Co.,
Ironbound Carpentry & Alteration Co.,
Ironbound Construction Company, Inc.,
Irvington Trucking Co.,
Irvin I. Hearing Inc.,
Irwin Garage, Inc.,
I. Sloan Co.,
I. Timinsky, Inc.,
Ivanhoe Park Developers Inc.,
Ivan Realty Company,

Jack Frieman, Inc.,
Jack Frost Dairies, Inc.,
Jack Kearns Inc.,
Jackson Audiphone Company,
Jackulak & Mankowski Construction Co. Inc.,
Jacob Schmitt & Sons, Inc.,
Jacobs Dairies, Inc.,

Jacobs Holding Company,
Jacobson Hardware Company, Inc.,
Jacobson's Clothes Shop, Inc.,
Jad Express, Inc.,
Jacob Zimmerer Estate, Inc.,
James A. Callahan Inc.,
James A. Morrisse, Incorporated,
James A. Zanetti Company,
Jamesburg Battery Shop,
James D. Young, Inc.,
James W. Anderson, Inc.,
Jamieson Company,
Jamor Fruit & Vegetable Co. Inc.,
"Janet, Inc.",
Jan Parsons, Inc.,
"Janwal Construction Co. Inc.",
Jasmer Holding Company,
Jay-Jay Corporation,
Jaymor Realty Co., Inc.,
Jay Specialty Co.,
Jay's Women's Wear, Inc.,
J. B. Deg, Inc.,
J. & C. Amusement Co. Inc.
J. Clark Helms & Son, Inc.,
J. C. Mortgage Company,
Jean Coat Co.,
Jean-Rose Finishing Co.,
Jean's Dress Shoppe, Inc.,
Jeff-Land Holding Corporation,
Jeffrey's Inc.,
Jenkins Manufacturing Company,
Jenmar Corp.,
J. E. Realty Co.,
J. E. Roach Inc.,
Jerome Tognoli & Sons, Inc.,
Jersey City Airport, Inc.,
Jersey City Athletic Arena, Inc.,
Jersey City Leather & Findings Co.,
Jersey Downs, Inc.,
Jersey Farms, Inc.,
Jersey Garden Homes Corporation,
Jersey Heights Holdings, Inc.,

Jersey Homesteads Agricultural Association, Inc.,
Jersey Nut & Candy Company,
Jersey Review Publishing Company,
Jersey State Enterprises, Incorporated,
Jersey Trading Corp.,
Jersey Turk and Jockey Association,
J. E. Schaaf, Inc.,
Jewish Post,
Jewish Tribune Inc.,
J. Fabiano, Inc.,
J. Goldberg, Inc., No. 1,
J. Greenberg, Inc.,
Jiffe Container Box Co.,
Jimmy's Fruit Market, of Perth Amboy, Inc.,
J. J. Scherer Sons Co. Inc.,
J. K. Bedrosian & Co., Inc.,
J. Leff Construction Co.,
J. Lember, Inc.,
Joann, Inc.,
Jodoma, Inc.,
Joe Grippen, Inc.,
Joe's Used Cars, Inc.,
John C. Eisele, Incorporated,
John C. Hickey, Inc.,
John C. Holmes Realty Company,
John Decher Co., Inc.,
John Donnelly, Incorporated,
John J. Callahan, Inc.,
John J. Condron Agency,
John J. Eckhardt, Inc.,
John L. Trott Associates, Inc.,
John Reher Inc.,
John Repece, Inc.,
Johnson Marshall Realty Co.,
Johnson Provision Co., Inc.,
Johnstone Holding Company,
John Sylvester, Inc.,
Jomar Realty Co. Inc.,
Jonco Associates,
Jonel Corporation,
Jones-Ingersoll, Incorporated,
Jones Machine Co., Inc.,

Jon-Kel Products Inc.,
Jorgensen Home Builders Inc.,
Jorub Holding Corporation,
Joseph Caso & Co.,
Joseph C. La Fera Co.,
Joseph Cramer, Inc.,
Joseph Farerh Corp.,
Joseph Fischer, Inc.,
Jos. L. Rusch, Inc.,
Joseph Merlis, Inc.,
Joseph M. Henehan, Inc.,
Joseph Vasselli, Jr., Inc.,
Joseph W. Allard, Inc.,
Jos. W. Birnbaum, Inc.,
J. R. I. Corp.,
J & R Men's Stores, Inc.,
J. Rosen & Sons, Inc.,
J. Rothberg Dairy Products, Inc.,
J. Royal Walsh, Inc.,
J. S. Bergen & Sons, Inc.,
J. Scheininger Flour Co., Inc.,
J. Sussman & Son, Inc.,
J. Thomas Crawford Hotel, Corporation,
Julia E. Neary Estate, Inc.,
Junior Realty Co., Inc.,
J. Wexler & Sons, Inc.,

Kamp's Tire & Brake Service, Inc.,
Kaplan Manufacturing Co., Inc.,
Kaplan & Protas, Inc.,
Kapo Dyeing & Print Works, Inc.,
Kathshir Corporation,
Kauffman Corporation,
Kaufherr Meadowland Realty Co.,
Kaydon Homes, Inc.,
"Kayell Realty Co.",
Kaylooms, Incorporated,
Kayson Page, Ltd.,
K. C. L. Holding Co., Inc.,
Keansburg-Union Beach Realty Company,
Kearny Construction Company,
Kearny Housing Corp.,

Kearny Outlet Stores, Inc.,
Kearny Plumbing Supply Co., Inc.,
Kearny Realty Company,
Keen Dry Shaver Company,
Keen Dyeing Corporation,
Keen-O Corporation Inc.,
Keiner & Co.,
Keller Kombination Knife Corporation,
Kemp Bros., Inc.,
Kemp Fertilizer and Seed Co.,
Kennedy Paint & Color Company,
The Kensil Corporation,
Kent Builders, Incorporated,
Kent Research and Development Corp.,
Kent Service Center, Inc.,
Kessler's Department Store,
K. F. L. Corporation,
K. G. O. Construction Co.,
Kiddie Kraft, Inc.,
Kill Von Kull Realty Co.,
King Arthur Food Markets M. V. D.
King Land Company,
Kingsland Clay Products Co.,
Kinzley Construction Co.,
Kirbe Bake Shops, Inc.,
Kirbe-Bergenfield Bake Shops, Inc.,
Kirbe-Central, Inc.,
Kirbery Carriers, Inc.,
The K. & K. Specialty Co.,
Klebold and Crane, Incorporated,
Klein & Company,
Klein's Department Store, Inc.,
Kloran Distributing Corp.,
K. M. Aaron Company, Inc.,
Kopsky's, Inc.,
Koster & Company,
Kotok, Inc.,
Kowalchuk and Jacenty Building Co. Inc., a Corporation,
Kramer Bros. Co., Inc.,
Krekt Sales Company,
Kroeck's Pharmacy,

Krone Brothers,
Krone Brothers Corporation,
Krono Realty Corp.,
Krueger Beer & Ales, Inc.,
Krueger Products, Inc.,
K's Beverages Corporation,
K. S. & M. S. Inc.,
Kunsub Company, Inc.,
Kyle Motors, Inc.,

Lactys, Inc.,
Ladies Wear Corp.,
Lafayette Manufacturing Corporation,
Lake Construction Co.,
Lake Drug Company,
Lake Forest, Inc.,
Lake Intervale Corporation,
Lakes Bay Homes Co.,
Lakeside Terrace Company,
Lake View, Inc.,
Lakeview Land, Construction, and Mortgage Company,
The Lam-Tex Corporation,
Lanoka Harbor Land Company, Inc.,
Lanox Agency, Inc.,
LaPaglia Holding Company,
La Rocca Building & Construction Co., Inc.,
Larsam Limited, Inc.,
The Lart Agency, Inc.,
La Salle Shoes, Inc.,
Lascose Laboratories, Inc.,
Laura's Childrens Outfitters, Inc.,
Laurel Hotel, Inc.,
Lavenhar Curtis and Company, Inc.,
Lawr Construction & Supply Co., Inc.,
Layng & Co., Inc.,
Lazy K Bar Ranch Inc.,
Lazzara Music Hall, Inc.,
The L-B Corporation,
L. & C. Auto Exchange, Inc.,
L. C. L. Realty Corporation,
Lee Estate, Inc.,
Leis Hardware, Inc.,

Leland Realty & Investment Co., Inc.,
Lenlou Holding Company,
Leo Building Co.,
Leo Construction Co. Inc.,
Leo Development Corp.,
Leonard Motors, Inc.,
Leonard Roofing Co.,
The Leonard Supply Company,
Leon Corporation,
Leonia Roller Skating Rink, Inc.,
"Leonora Sportwear Corporation",
Le-Say Realty Corporation,
The Lesco Realty Co.,
Les Wirt Incorporated,
Leuckel Holding Company,
Levine Contracting Company,
Levy & Sons Company,
Lewellyn Farms,
Lewis Max & Co.,
Lewis S. Tafsun, Inc.,
Lezbro Manufacturing Co. of New Jersey, Inc.,
L. & F. Realty Corporation,
L. & G. Realty Co.,
Liberty Amusement Co.,
Liberty Auto Sales,
Liberty By-Products Works,
Liberty Theatre, Inc.,
Lieberfarb, Inc.,
Lienow Holding Corporation,
The Lighthouse, Inc.,
Lighthouse Restaurant, Inc.,
Lighthouse Service Inc.,
Light Service Corporation,
Lilly Paper Box Co.,
Lilly's Refreshments, Inc.,
Linbel Inc.,
Lincoln Chemical & Supply Co., Inc.,
Lincoln Garment Co. Inc.,
Lincoln Hat Co. Inc.,
The Lincoln Manor Estates,
"Lincoln Memorial Park Management Corporation",
Lincoln Novelty Company,

Linden Dressed Beef Co.,
Linden Exchange, Inc.,
"Linden Home Builders",
Linden Investors, Inc.,
Linden Observer Publishing Company,
Lindgen Realty Company,
Lindvale Syringe Mfg. Co.,
Line Realty Co. Inc.,
Linwood Country Club,
Linwood Gardens Co.,
Lion Textile Machine Works, Inc.,
Lipman's Pharmacy, Inc.,
Lipowitz-Meisel Inc.,
Lipper & Kurman, Inc.,
Lisk Realty Co.,
Lithuanian Investment Corporation,
Litterst Company,
Little Falls Golf Course Company,
Little Theatre on North Broad Street, Inc.,
Little Women, Inc.,
Live Mink Trading Corporation,
Lizzie Giangarelli, Inc.,
L. Lang, Inc.,
L and L Holding Co.,
L. M. Land Co.,
Loch Arbour Baths, Inc.,
Locost Home Buildings, Inc.,
Lodge-Home Builders, Inc.,
Loma Corporation of New Jersey,
London Clothing Co., Inc.,
Longacre Development Co.,
Lonky and Co.,
Lorann Realty Co., Inc.,
Lord Stirling Distilleries, Inc.,
Loretto M. Riley, Inc.,
L. O. Thomas & Company, Inc.,
The Lottie Company, Inc.,
Louis D. Yecies & Sons, Inc.,
Louise Lewis, Inc.,
Louis E. Rose, Inc.,
Louis Goldenberg, Inc.,
Lousam Corporation,
Lou's Inc.,

Lowenthals Shoes Inc.,
Lowry T. Mead, Inc.,
L. P. A. Corporation,
L. R. Lamb, Inc.,
L. R. L. Company, Inc.,
L. S. & L. Realty Company,
Lucania Construction Company, Inc.,
Ludovice Building Corporation,
Lumenlogic Engineering Corporation,
Luminor Electric Co.,
Lureé Inc.,
Lux Dress Corp.,
L. W. Hudson & Co., Inc.,
Lydo Home Builders,
Lyndhurst Pharmacy Co., Inc.,
Lyndhurst Press,
Lyndon E. Stoutenburgh, Inc.,
Lyons Motors, Inc.,
Lyons-Schley Co.,
L-Z Holding Company, Inc.,

MacDonald's Raritan Bay Hotel, Inc.,
Machine Tool & Contractors Equipment Corporation,
MacKhin's,
Mack Petroleum Truckers, Inc.,
Mack Toy Works, Inc.,
Macphee Bros. Inc.,
Mme. Francis Dervieux, Inc.,
Madelaine, Inc.,
Madison Machinery Co. Inc.,
Mae Realty Company,
Magnolia Realty Co., Inc.,
M. & A. Holding Company,
Main Delicatessen, Inc.,
Main Drug Co.,
"Main & Essex Holding Company, Inc.",
Main Stationers, Inc.,
Majestic Chemical Co., Inc.,
The Majestic Garage, Inc.,
Majestic Novelty Co.,
Majestic Paint & Varnish Co.,

Makan Amusement Corporation,
Mallard Distilling Company,
Mallory Manufacturing Company,
Man About Town Lodge, Inc.,
Manasquan Beach, Inc.,
Mancel-Bosmans Corporation,
Mandor Realty Co.,
Manganese Corporation,
Manhattan Cleaners & Dyers,
Manhattan Food Market, Inc.,
Manhattan-Summit Securities Company, Inc.,
Manhattan Welding Co.,
Mannetts Service Station, Inc.,
Manny's Bar & Grill, Inc.,
Manor Budget Homes Co.,
Manor Development Co.,
Manor Development Inc.,
Manor House Operating Company,
Manor, Inc.,
Man-Tan Clothes Shop, Inc.,
Manufacturers Adjustment Corporation,
Manufacturers' Bureau, Incorporated,
Maple Dairy Company,
Maple Service Stations, Inc.,
Maplewood Avenue Holding Company,
Marbet Manufacturing Co.,
Marchiony Ice Cream Corporation of New Jersey,
Mardom Estates, Inc.,
Marellca Corporation,
Marfra Realty Co.,
Margate Development Company,
Margina Company,
Marine Hotel Co.,
Maritime Petroleum Corporation,
Marjorie Carolyn Holding Co.,
Market Associates, Inc.,
Market Buiiders, Inc.,
Market & Mulberry Realty Co.,
Markorner Realty Co.,
Mark Slass, Inc.,
Marlborough Company,
Marneil Realty Corporation,

Maro Corporation,
Marquardt Holding Co.,
Marvel Auto Supply Stores,
Marvel Realty Corporation,
Marvin Drug Company,
Marvin Machine and Manufacturing Company, Inc.,
Mary Ballentine, Inc.,
Mascellino Baking Company,
Massar Realty Company,
Master Leather Goods Corporation,
Master Motors Corporation,
Master Realty Corporation,
Matawan Private Hospital,
Mato Engineering Co. Inc.,
Maugeri Construction Co.,
Maurer Realty Corporation,
Max Braunstein, Inc.,
"Maxwell Brown Corporation",
Mayers Inc.,
Mayfair Homes, Inc.,
Mayflower Oil Burner Corporation,
Maypat Corporation, Inc.,
May-Rose Dress Co., Inc.,
May-Rose Dress Manufacturers Inc.,
Maywood Floral Company, Inc.,
M. & B. Meyer Realty Co.,
M. C. Canfield Sons Co.,
McCann Construction Co.,
McCoy Laboratories, Inc.,
McCullough & McCabe, Inc.,
McTighe, Inc.,
M. D. A. Builders, Inc.,
"Mea Corporation",
Meat Master,
Meeker Building and Construction Company,
Melbach Corporation,
Melching Realty Corporation,
"Memorial Park Management Corporation",
Mercer Produce Inc.,
Merchants Discount Corporation,
Merchants Investment Corporation,

Merit Association, Inc.,
Metaldux, Inc.,
Metal Specialties Inc.,
Meta-Wood Studios, Inc.,
Metropolitan Appliance Co., Inc.,
The Metropolitan Construction Engineering Co.,
Metropolitan Warehouse Co., Inc.,
Metropolitan Window Shade & Awning Co., Inc.,
Metro Studios,
Metuchen Lumber Co., Inc.,
Metz Litho-Arts, Inc.,
Meyers Department Stores,
M. F. & S. Trucking Co., Inc.,
M. G. H. Realty Corp.,
M. and G. Motors, Inc.,
Michael J. Bobb, Inc.,
Michael Marshott, Inc.,
Mick Coal Co.,
Microcleen Cleaners, Inc.,
Mid-City Amusement Co. Inc.,
Midland Holding Company,
"Milady Beauty Salon.",
Milborn Construction Co.,
"Milco Sales Company.",
The Mildod Company,
Mildred J. Davis Co. Inc.,
Milestone Carbon Company,
Millbrook Print Works, Inc.,
Millburn Service Station Inc.,
Miller Built Homes, Inc.,
Miller & Sons Company,
Millicent Dress Shop, Inc.,
Milltown Construction Company,
Milton Kessler, Inc.,
Minahan Realty Company,
Minarick Construction Company,
Mines Developing and Operating Corporation,
Mink Tavern Ranch Corporation,
Minnie Kuller, Inc.,
Miown 5-10 To $1.00 Stores, Inc.,
Miserendino Bros. Inc.,
Miss America Beauty Pageant Corporation,
Mizel Realty Company,

New Jersey State Library

M. Karpoff, Inc.,
M. & M. Amusement Co., Inc.,
M. & M. Dress Corporation, Inc.,
M. & M. Meat Market, Inc.,
Model Developments, Inc.,
Model Dress Manufacturing, Inc.,
Model Home Company,
Model Service Station, Inc.,
Model Silk Company,
Modern American Homes Corporation,
Modern Art Sign Displays, Inc.,
Modern Burlesque, Inc.,
Modern Heating & Air Conditioning Co.,
Modern Holding Co., Inc.,
Modern Market, Inc.,
Modern Stations, Inc.,
Modern Way Building Co., Inc.,
"Moe's Bargain House, Inc.",
Mohawk Valley Company,
Molluis Inc.,
Mona Lisa Monumental Art Co.,
Monarch Coal Company,
The Monarch Corporation,
Monarch Homes, Inc.,
Monarch Investment Co.,
Monarch Laundry Co.,
Monarch Market,
Mongovi Co., Inc.,
Monmouth Catering Corporation,
Monmouth County Country Club,
Monmouth County Country Club Racing Association,
"Monmouth County Enterprises, Inc.",
Monmouth Laboratories, Inc.,
Monmouth Poultry Company,
Monmouth's Old Mill, Inc.,
Mon O Laboratories, Inc.,
Monroe Myrtle Realty Co. Inc.,
Montcel Realty Corporation,
Montclair Elks Club,
Monticello Drug Company, Inc.,
Montridge Investors, Incorporated,
Montrose Gardens, Inc.,

Mont-Villa Holding Co.,
Monty's Inc.,
Moore Engineering Corp.,
Moran Dairy Products,
Moreal Holding Company,
More-Lite Window Cleaning Company,
"Morlein Breweries, Inc.",
Morningside Holding Co.,
Morris B. Reade, Inc.,
Morris Katz, Inc.,
Morris Lieber, Inc.,
Morris Men's Shop,
Morris Plains Real Estate Company,
Morris Roth, Inc.,
Morris Sales Company, Inc.,
Morris Sklar, Inc.,
The Morristown Washington Hotel, Inc.,
Morris-Traubman, Inc.,
Morsan Realty Co.,
Morsemere Confectionery, Inc.,
The Morton Agency,
Morweis Realty Co. Inc.,
Moskin Realty Corporation,
Motor Carriers Corp.,
Motor Dispatch, Inc.,
Moto Vita Corporation,
Mountain View Grill, Inc.,
Mov-A-Lite Corporation,
M. Pogach Company,
M. Rothouse Sons, Inc.,
M. Straus & Sons Corporation,
Muller & Co.,
Mulmark Corporation,
Multi Products, Incorporated,
Municipal Business Men's Service Bureau, Inc.,
Municipal Investment Corporation,
Municipal Service Bureau,
Municipal Tax Lien Bureau,
Munitions & Ordinance Co., Inc.,
Munkacsy Natural Mineral Water Corporation,
Murray's Supply Company,
Mutual Alliance, Inc.,

"Mutual Benefit Investment Company",
Mutual Clothing Corporation of New Jersey,
Mutual Theatre Company,
My Chocolate Company,
The Myron Company,
M. Z. P. Properties, Inc.,

N. A. Pedersen, Inc.,
Nashco Engineering Co., Inc.,
Nash-Linden, Inc.,
Nash Manufacturing Co., Inc.,
Nash Refrigeration Company, Inc.,
National Aircraft Company, Inc.,
National Auto Exchange, Inc.,
National Aviation Prep School, Inc.,
National Beauty Parlors, Inc.,
National Bottling Works, Inc.,
National Cleaners & Dyers, Inc.,
National Construction and Equipment Corporation,
National Contracting Company,
National Electric and Manufacturing Co.,
National Fuels Corporation,
National Heating Corporation,
National Home Appliances, Inc.,
National Home Builders & Land Developers Corporation,
National Home Engineers, Inc.,
National Homes Building Corporation of New Jersey,
National Hotel Supply Co., Inc.,
National Latex Products Corporation,
National Liquidators, Inc.,
National Military Stores, Inc.,
National Purchasing Corporation,
National Reclamation Corp.,
National Sani-Table Corporation,
National Sportswear Mfg. Co.,
National State Realty Co., Inc.,
National Storage Warehouse of Atlantic City, New Jersey,

"National Uniform Patrol & Detective Service",
Nat-Lee, Inc.,
N. B. P. Holding & Supply Corp.,
Neighborhood Food Company,
Nelson B. Marr Construction Co.,
Nelson Lake Development Co.,
Nelson Realty Company,
Neptune Amusement Co.,
Neptune Bathing and Fishing Company, Incorporated,
Newark Airport, Inc.,
Newark Butcher Realty Co. Inc.,
Newark City Realty Corp.,
Newark Development Company,
Newark-Essex Agency, Inc.,
Newark Hudson Specialty Co., Inc.,
Newark Live Poultry Co.,
Newark Penny Phono Company, Inc.,
Newark Purchasing Company, Inc.,
The Newark-So. Orange Ave. Corporation,
Newark Tornadoes, Incorporated,
Newark-Walnut Corporation,
New Barbadoes Gas & Oil Co.,
New Bedford Shuttle Company,
New Bell Laundry Co.,
New Brunswick Pharmaceutical Company, Inc.,
New Building Co.,
New Dorp Realty Corporation,
New Era Investment Company,
New Era Realty Company,
New Garfield Realty Company,
New Hollywood Pleating & Trimming Co.,
The New Jersey Adamant Manufacturing Company,
New Jersey Appliance Company,
New Jersey Audit Company,
New Jersey Auto Sales Co.,
New Jersey Bldg., Corp.,
New Jersey Charcoal Company,
New Jersey Credit Adjustment Bureau,
N. J. Cut Rate Kosher Delicatessen, Inc.,
N. J. Delivery Service, Inc.,

New Jersey Fruit Exchange,
New Jersey Liquidating Corporation,
New Jersey Market Enterprises, Inc.,
New Jersey Petroleum Marketers,
New Jersey Phonovision, Inc.,
The New Jersey Soap Company, Inc.,
New Jersey Soundies Corporation,
New Jersey Speedways, Inc.,
N. J. State Democrat,
New Jersey Transfer & Registry Agency,
N. J. Trucking Company, Inc.,
Newlis Realty Corp.,
Newman's Men Shop, Inc.,
New Middlesex Laundry, Inc.,
Newmont Investment Co.,
New Orange Park, Water, Heat Light and Power Company,
New Packer House Company,
Newpac Restaurant Co.,
New Peerless Market, Inc.,
Newport Fish Market, Inc.,
New Quality Laundry Co.,
Newsdealers' Supply Co.,
Newspaper Appraisal Corporation,
New Star Liquors, Inc.,
New St. Holding Corporation,
Newton Recreations, Inc.,
New 29 Ranch Corporation,
New York Smoked Fish Co. Inc.,
Ney Displays, Inc.,
N. Fisher, Inc.,
Nibco Sales Co. of New Jersey,
Nicholas Amoroso Company, Inc.,
Nicholas & Bridgewater, Inc.,
Nielman Realty Co., Inc.,
905 Bergen Avenue, Corporation,
993 Broad Street Co.,
Nishap Realty Co.,
N. Mehrhof & Co., Inc.,
Noble's Sweet Shoppe,
Nomahegan Construction Co.,
Norair Engineering Corp.,
Normandy Realty Company,

North Arlington Builders, Inc.,
North Bergen Cloth Conditioning Corp.,
Northeastern Amusement Corporation,
Northeastern Builders, Inc.,
Northeastern Realty & Investment Company,
Northern New Jersey Grocers' Co-Operative, Inc.,
North Jersey Advertising Company,
North Jersey Builders, Inc., No. 1,
North Ridgewood Manor, Inc.,
North River Terminal Company,
North Van Brunt Street Holding Company,
Norwild Realty Co. Inc.,
Norwood Hat Co. Inc.,
Noslo Realty Co.,
Noveloid Products, Inc.,
Nuhome Sites, Inc.,
#459 Edgewood Ave., Inc.,
Number One Hundred and Fifty Belmont Avenue Corporation,
Nutley Motor Sales,
Nutley Paint and Supply Co. Inc.,
Nu-Tread Tire Factory, Inc.,
The Nut Shell, Incorporated,

Oakcrest Hills, Inc.,
Oak Hills Company,
Oakland Press, Inc., a corporation,
Ocean City Electric Railroad Company,
Ocean City Realty Co.,
Ocean County Beverage Company,
Ocean Hotel and Restaurant Corporation,
Ochs Holding Co.,
The Odd Fellows Hall Association of Hoboken, N. J.,
O. E. Frank Heater and Engineering Co., Inc.,
Office of Nicholas H. Wade, Inc.,
Ogden, Inc.,
Oil Burner Sales, Inc.,
Oil Engineering Corporation,
Old Mill Inn, Inc.,
Old Reserve Holding Co., Inc.,
The Old Woman in the Shoe Incorporated,
Olympic Swimming Pool, Inc.,

Omaha Hat Corporation,
O'Mealia Poster Advertising Service,
One Family House, Incorporated,
The One Hundred Club, Inc.,
155 Clinton Avenue Inc.,
105 Broad Street, Inc.,
105 Lincoln Park, Inc.,
146 Charlton Corporation,
109 Hillside Ave., Corp.,
One Hundred One Corporation,
175 Summit Avenue Corporation,
179 Duncan Avenue Corporation,
138 Main Street Realty Co. Inc.,
One Stop Service, Inc.,
1381 Springfield Ave. Inc.,
1215 Boardwalk Corp.,
Oneto Realty Corp.,
Orchard Home Builders, Inc.,
Orenstein Specialty Mfg. Co. Inc.,
Organization Service Company,
Ornaglo Company, Inc.,
O'Rourke Brothers Company,
Osborne Home Builders, Inc.,
Osceola Park, Inc.,
Ostergaard Homes Company,
O'Toole and Lillis Realty Co. Inc.,
Otsego Corporation,
Owners Development Company,
Oxford Market, Inc.,
Oxford Products Corporation,

Paddock Cocktail Lounge, Inc.,
The Palace Realty Company,
Palisade Shirt Co.,
Palm Realty Company,
Pampeco Products Inc.,
Panama Plantations, Inc.,
Pan American Wired Service, Inc.,
Pancho Textile Corp.,
Paper Mill Playhouse Festival, Inc.,
Paper Mill Playhouse Productions Inc.,
Paper Specialists, Inc.,
Paradise Shops, Inc.,
Paramount Acceptance Corporation,

Paramount Dress Shops,
Paramount Shoes, Inc.,
Paramount Silk Mills, Inc.,
Parco Corporation,
Paris Millinery, Inc.,
Park Auto Body Service,
Park Avenue Construction Corporation,
The Park-Centre Store Inc.,
Parker Lace, Inc.,
Park Hardware Co., Inc.,
Park Italian-American Grocery Company,
Park Lane Estates,
Park Realty Investment Co.,
Park Ridge Pharmacy, Incorporated,
Parkside Diner, Inc.,
Park Union Homes, Inc.,
Parkview Development Company,
The Participants Co. of N. J.,
Pascack Mortgage and Title Abstract Company,
Passaic Consumers Co-operative,
The Passaic County Title Guarantee Company,
Passaic & Delawanna Realty Company,
Passaic Home Laundry Co.,
Passaic Realty & Construction Company,
Pasteelnick Bros., Inc.,
Paterson Cinder Products Corporation,
Paterson's Permanent Wave Center, Inc.,
Paterson Steel Equipment Co. Inc.,
Paterson Stove and Repair Company,
Pattison Associates, Inc.,
Patton Motor Sales,
Paul G. De Ronde Co., Inc.,
Pauline B. Jones, Inc.,
Paul Peters, Inc.,
Paulson Lumber Co.,
P & B Produce Co.,
Pecker's Dry Goods Store, Inc.,
Peck Shoes, Inc.,
Peeanee Realty Corp.,
Peerless Jewelry Manufacturing Co. Inc.,
Peerless Markets, Inc.,
Peerless Roofing and Contracting Company,

Pe-Ko Corporation of America,
Penetrone Co.,
Penn-Jersey Paper Co., Inc.,
Penn & Linden Realty Corp.,
The Penn Materials Co.,
Pennsylvania Fuel Distributors, Inc.,
Pennypacker Corporation,
Penny-Phono Co. of New Jersey, Inc.,
People's Meat & Provision Market, Inc.,
Peoples Plumbing & Mill Supplies, Inc.,
Perfection Tobacco Co. Inc.,
Perfect Menu Caterers, Inc.,
Perfect Tail Boards, Patented,
Perry Construction Co.,
Personal Credit Adjustment Bureau,
Perth Amboy Furniture Co.,
Peters Racing Team, Inc.,
Petrolex Company,
Phelps Service Stations, Inc.,
Phila.-Girard Investment Co.,
Philadelphia Jobbing House, Inc.,
Philclare Novelty Mfg. Co., Inc.,
Philgus Apparels, Inc.,
Philip A. Singer & Bro., Inc.,
Philip Spies, Inc.,
Philip T. Jiannine, Inc.,
Phillips Mantell & Doebler Engineering Co., Inc.,
Phil-Mur Dress Corporation,
P. H. Reilly Forwarding Co. Inc.,
Physicians and Surgeons Equipment Co., Inc.,
Pick-A-Back, Inc.,
Pier Amusement Co., Inc.,
Pierce Liquor Stores, Inc.,
Pierre Construction Company,
Pik-Pik Vending Machine Corporation,
Pilevan Corporation,
Pine Avenue Service Station, Inc.,
Pinegrove Academy,
Pine Grove Realty Company,
Pine Lake Hosiery Mills, Inc.,
Pine Shore Manor Realty Co.,
Pioneer Wine & Liquor Stores, Incorporated,

Pitman Automobile Company,
Pitman Home Construction Co., Inc.,
Pitman Pharmacy Inc.,
P. Keelen, Inc.,
Plainfield Nursery, Inc.,
Plainfield Royal Bakeries, Inc.,
Planters Oyster Co., Inc.,
Plaza Battery Service Inc.,
Plaza Management Corp.,
Plucar Realty Co.,
P M Stores, Inc.,
"Polco, Inc.",
The Police Research Bureau, Inc.,
Policy-Owners Advisory Bureau, Inc.,
Polson Amusement Co.,
The Pomona Corporation,
Pompton Pines, Inc.,
Pontiac Company,
Ponzio Trucking Co.,
Portland Whip Co. Inc.,
Port Newark Terminal and Transfer Inc.,
Postchest Corporation,
Potter Construction Co.,
Potter Shoe Repair Shop,
Power,
Precision Builders Corporation,
Preferred Investment Corp.,
Preis & Co.,
Premier Baking Company,
Premier Oil Co., Inc.,
Premier Realty Company,
Premium Collection Bureau,
Premium Service Corporation,
Prince Merritt Park Syndicate, No. 1, Inc.,
Princeton Herald, Inc.,
Princeton Highland Realty Company,
Princeton Mills Co.,
Printex Corporation,
Professional Publishers, Inc.,
Progressive Textile Machine Co., Inc.,
Progressive Window Shade Co.,
Progress Yarn Company, Inc.,
Properties Corporation,

Property Corporation,
Prospect Dye Works, Inc.,
Prospect Gardens, Inc.,
Prudential Land Company,
P. Sanford Ross, Incorporated,
Public Housing, Inc.,
Publicity Associates, Inc.,
Public Service Bazaar, Inc.,
Public Service Oil Corporation,
Pulp Products Corporation,
Pure Food Corporation,
Puritan Farms of North Bergen, Inc.,
Purity Beef Co.,
P. & W. Construction Co.,
Pyramid Fabrics Corporation,

Quaker Herb Gardens, Inc.,
Quality Bands, Inc.,
Quality Cleaners & Dyers, Inc.,
Quality Dairies, Inc.,
Queen City Fruit Company, Inc.,
Quendor Realty Company,
Quinhope Realty Co., Inc.,
Quinn's Market, Inc.,

Radburn Riding Academy, Inc.,
Rademaekers Marvel Size Co.,
Radin's Pharmacy, Inc.,
Radio Arts Institute,
Radiolite Displays, Inc.,
Radio Signal Products Corporation,
Radium Realty Company,
Rae Construction Co., Inc.,
Rafferty & Vogt, Inc.,
Rainbow Food Products Company, Inc.,
Rainbow Holding Co.,
Rainbow Plastics Corporation,
Rainbreaker-Rainwear, Inc.,
Ralph E. Stevens, Inc.,
Ralph's Bar & Grill, Inc.,
Ramapo Mountain Mink Ranch, Inc.,
Rams Realty Co., Inc.,
Range Realty Co.,

Rapp's Leghorn Farm, Inc.,
Rappy's Luncheon Inc.,
Rasay Realty Co. Inc.,
Ratti's, Incorporated,
Raymond Sharp, Inc.,
Ray's Tavern, Inc.,
Ray Weeks, Inc.,
R & D Enterprises, Inc.,
Real Estate Corporation,
Real Estate Maintenance Service Co., Inc.,
Realty, Inc.,
Realty Rights Corporation,
Reclaiming—Inc.,
Red Bank Estates,
Reedhead Construction Corporation,
Reeps Realty Corporation,
The Regah Corporation,
"Regal Hosiery Company, Inc.",
Regal Wine & Liquor Stores, Inc.,
Regional Mortgage Co.,
Reliance Porcelain Co., Inc.,
Relsa Realty Corporation,
Rentschlers-Clifton Pool Inc.,
Reservation Developers, Inc.,
Resiston Plastics, Inc.,
Resnick Drug Company,
Resolute Realty Co.,
Resort Supply & Equipment Co.,
Respad Company,
Restful Footwear Company,
Revo Cigarette Corporation,
Rex Bar and Grill, Inc.,
Rex Coal Co.,
Rex Dye Works, Inc.,
"Rex Furniture Showrooms, Inc.,
Rex Investing Corp.,
Rex Investment Co., Inc.,
Rex Jewelry and Optical Co., Inc.,
Rex Realty Co.,
Rex Steel Products Corporation,
Reyem, Inc.,
R & G Construction Co.,
R. H. Henderson Co.,

Rialto Amusement Company,
Ricci Realty Co.,
Richard Ratliff Company,
Richard's Market, Inc.,
Richgold Trading Corporation,
Ridgecroft Gardens, Inc.,
Ridgefield City Market, Inc.,
Ridgefield Gardens, Inc.,
Ridgelawn Realty Co. Inc.,
Ridgewood Reserves,
Riggs Oil Co.,
Riley Milk, Ice & Cold Storage Company,
R. & I. Manufacturing Co., Inc.,
Rinck's Pharmacy, Inc.,
Rings' Kosher Market, Inc.,
Rippen's Sea Food House, Inc.,
Rising Sun Realty Company, Inc.,
Rispoli Holding & Investment Co.,
Ritanella, Inc.,
Ritchie Fabrics, Inc.,
Rite-Bilt Home Construction Co.,
Rite Home Builders,
Ritter's In The Pines,
Ritz Holding Company,
Ritz Hosiery, Inc.,
River Crest Acres,
River Edge Estates, Inc.,
Rivervale Public Golf Course,
Riverview Casino Corporation,
River View, Incorporated,
R. & M. Realty Co., Inc.,
Roaring Rock Realty Company,
Robane Corporation,
Robelroe Amusement Corp.,
Robert Mfg. Co., Inc.,
Roberts & Co.,
Rockland Theatre, Inc.,
Rockledge Homes Corporation,
Rodney Realty Corporation,
Rogal & Miller, Inc.,
Ro-Jay Glass Process Co.,
Rokay Beverage Company, Incorporated,

Rollfs Realty Company,
Roll Inn,
Rol-Lock Gasket Company, Inc.,
Romano Realty Corp.,
Ronald A. Needham Inc.,
Ronnoco Holding Co. Inc.,
Roof Coating Co. of New Jersey, (Inc.,)
Roosevelt Holding Corporation,
Rosa-Lee Sportwear Co.,
Rosam Realty Corporation,
Rosebud Dress Inc.,
Roseland Apartments, Inc.,
Rosenthal Inc.,
Rosenthal & Kushner, Inc.,
Rose Park Memorial Association Inc.,
Rose-Shire Coats Inc.,
Rosharen, Inc.,
Rossmer Company, Inc.,
Rosy's Bar & Grill, Inc.,
Roth & Co.,
Rothman & Lazarus Bakery, Inc.,
Roxborough Knitting Mills, Inc.,
Royal East Indies Oil Co.,
Royal Rug and Carpet Cleaning Co., (Inc.),
Royal Togs, Inc.,
"Royat, Inc.",
Roy Gould's Dancing Studio, Inc.,
Roy's Drugs, Inc.,
Ruckelshaus Game Corporation,
Rudabob Realty Corporation,
Rudd's Eppes Essen Inc.,
Rudolph R. Corrado, Inc.,
Ruehl and Hatfield, Inc.,
The Ruhlmann Realty Co.,
Rushden Company,
Rustic Realty Company of Dover, N. J.,
Rustin Company,
Rutgers Construction Corporation,
Rutherford Country Club,
Rutherford Heights Association,
Rutherford Motors, Inc.,

Sacks & Cokas, Inc.,
Sadye Schenkel, Inc.,
Safe Pharmacy, Inc.,
Safe Roadways, Inc.,
Sager Amusement Co.,
St. Cloud Inn,
St. James Restaurant & Lunch, Inc.,
St. Moritz Tavern, Inc.,
St. Mungo Sales Corporation,
Salmond, Scrimshaw and Company,
Samax Holding Co.,
The Samuel E. Burr Hardware Company,
Samuel Katz, Inc.,
Samuel Lesser, Inc.,
Samuel Sampson, Inc.,
Samuel Vogel, Inc.,
Samuel W. Smith Sr. Investment Co.,
Samuel Wyckoff & Son,
Samwall Realty Co. Inc.,
Sam Yalon Inc.,
Sanford Realty Co. Inc.,
Sangor Realty Corporation,
Sanitary Products Corporation,
Sanitary Seal Dairies, Inc.,
Santini Construction Corporation,
Sarbone—Silver Incorporated,
Sarnat Realty Company, Inc.,
Satco Inc.,
Saunier Chevrolet Inc.,
Savoy Importing Company, Inc.,
S. Berlin & Son, Inc.,
S. Brody,
Scarfi's Bakery,
Scarne, Inc.,
Scatuorchio Realty Company,
Schellenger and Company,
Scher Carpet Company, Inc.,
Schiller Brewing Company,
Schnepp Realty Corporation, Inc.,
Scho-Ber Company, Inc.,
Schomer-Berman Shoe Co.,
Schoonover Construction Company,
Schorr Stores, Inc.,

Schreibman, Inc.,
Schwartz Fur Shop, Inc.,
Schwarz Transportation, Inc.,
Schwenzer Bros. Inc.,
Scotch Plains Improvement Company,
Scotty's Service, Inc.,
Scranton Coal Company of Atlantic City,
Scrofani Construction Company, Inc.,
Seaboard Engineering and Construction Co. Inc.,
Seaboard Holding Corporation,
"Seaboard Hotels, Inc.",
Seaboard Petroleum Corporation,
Sea Bright Restaurant, Inc.,
Sea Girt Estates,
Sealand Aircraft Inc.,
Seal Realty Co. Inc.,
Searls Manufacturing Co. No. 2,
Seaside Coal and Fuel Oil Co.,
"Sea Star Fish Co.",
Sebestyen, Inc.,
Security National Co., Inc.,
See Powell Inc.,
Select Risk Brokers, Inc.,
Self-Service Company,
Seminole Construction Co.,
Senate Oil Co., Inc.,
Sero Realty Company,
Service Adjustment Bureau, Incorporated,
Service Building Materials Corp.,
Service Fuel Oil Co. of Bergen County,
Service Offset Lithograph Corporation,
S. E. S. Corporation,
Settler Corporation,
Seven Forty One Clinton Avenue Corporation,
Seven Fourteen Park Ave., Corp.,
The 729 to 735 Avenue A Inc.,
Seventy Baldwin Avenue, Inc.,
Severn Motor Co.,
S. E. W. Inc.,
Seymont Holding Co.,
Seymour Dunn, Inc.,
S. & G. Luncheonette & Cafeteria, Inc.,
S. Greenbaum, Inc.,

S. G. S. Trucking Corporation,
Shaeffer Co. Inc.,
Shanley Delicatessen,
Shapiro's Britain, Inc.,
Shark River Saddle and Yacht Club,
Sharlin's Electrical Shop Inc.,
S. H. E. Corp.,
Sheffield Homes, Inc.,
Sheppard Realty Company,
Sheridan Park, Inc.,
Sherman Investment Co.,
Sherman's Food Market, Inc.,
Sherman Signs, Inc.,
Shils Coal Co.,
Shirbell Corpn.,
Shirley Realty Co.,
S. H. La Fontaine, Inc.,
S. & H. Novelty Company, Incorporated,
S. H. Nussbaum, Inc.,
Shore Cabins Corporation,
Shore Estates Corporation,
Shower Sales Corporation,
"Shulder Construction Co.",
Shulman Anglo-Jewish Publications,
Silk City Distributing Co.,
Silk City Iron & Metal Co., Inc.,
Silkcraft Mills, Inc.,
Silver Lake Tile & Terrazzo Co.,
"Silverman and Paly, Inc.",
Silver Palm Corporation,
Silver's Delicatessen, Inc.,
Simms, Ruty & Miller, Inc.,
Simon-Half Corp.,
Simon's Delicatessen, Inc.,
S. Interdonato Co. Inc.,
Siuol Corporation,
Sivad Realty Co.,
686 Bergenline Ave., Corp.,
617 Bloomfield Avenue, Inc.,
662 Bergenline Ave. Corp.,
Six Twenty Six Hudson Street Corporation,
Sizz, Inc.,
S. J. Surtees Coal Co., Inc.,

S. and L. Development Co.,
Slocum Naval Stores Co., Inc.,
"S & M Corporation",
Smith-Broadhead Furniture Co.,
Social Hygiene in the Home,
Sol Rubenstein, Inc.,
Sol's Inc.,
Somers Estates, Inc.,
Somerset Building and Development Co.,
Somerset Estates, Inc.,
Somerset Grill Inc.,
Somerset Properties, Inc.,
Somerset Realty Co.,
Sorosis Realty Corporation,
Sosnow Drug Company,
South Bergen Builders, Inc.,
South & Bradish Men's Shop, Inc.,
South Holding Co.,
South Jersey Broadcasting Corporation,
South Jersey Shores Corporation,
The South-Park Dress Company,
South Side Window Cleaning Co.,
South & Walnut Co.,
Sparky's Cafe,
Specialty Foods Corporation,
Spectro-Photo, Inc.,
Speed Boys Auto Stores, Inc.,
Speedway Enterprises of New Jersey, Inc.,
Speer Realty Corporation,
Spicers Refrigerator and Show Case Service, Inc.,
Spokesman Publishing Co., Inc.,
Sports Equipment Mfg. Corp.,
Springdale Holding Co., Inc.,
Springfield Corporation,
Springfield Reamer & Tool Corporation,
Spross Electric Co. Inc.,
Squab Broiler Corp.,
Square Circle Building Association,
Square Dairy Inc.,
S. & R. Emb. Works, Inc.,
S. Schmukler, Inc.,
S. & S. Coat Company Inc.,

S. & S. Diners, Inc.,
S. & S. Holding Company,
Stacy Distributing Company,
Stamen, Fehlhaber & Rast Inc.,
Standard Appliance Corporation,
Standard Arcoil Corp.,
Standard Combustion Systems, Inc.,
Standard Corporation,
Standard Electric Co.,
Standard Hardware & Mill Supply Co.,
Standard Industrial Gas Corporation,
Standard Investment Corporation,
Standard Medical Laboratories, Inc.,
Standard Medical Supply Inc.,
Standard Plastics Corporation,
Standard Terra Cotta Works,
Standard Textile Machinery Corp.,
Stanley Altman Clothing Co.,
Stanley Coat & Suit Inc.,
Stanley-Franke Agency, Inc.,
Stanley's Inn, Inc.,
Star Engraving Co., Inc.,
Star Garment Manufacturing Company,
Stark Produce, Inc.,
"Starlight 16 M/M Film Co.",
Star Oil Company,
Star Realty Company,
State Credit Corp.,
State Gas and Oil Co.,
State Haulage Co., Inc.,
State Home Builders, Inc.,
State Motor Haulage Co. Inc.,
State Trucking Co., Inc.,
State-Wide Underwriters' Agency, Inc.,
Station Square Fruit & Produce Market, Inc.,
Station Square Meat Market, Inc.,
Steak Stix, Inc.,
Steelcraft Engineers and Erectors Inc.,
Steero Safdrive of America, Inc.,
Stemur Trading Corporation,
Sterling Handbag Co. Inc.,
Sterling Shoe Shop, Inc.,

Steuben Home Association, Inc.,
Stevens Millinery of Jackson Avenue,
Stewart Brothers,
Stewart Sales Machine Corporation,
Stewart's Inc.,
Stewart Venetian Blind Co.,
"Stitz Furniture Corporation",
Stock Exchange Inc.,
Stokes, Fuel & Service, Inc.,
Straco, Inc.,
Straehle & Mullins, Inc.,
Strand Corporation,
Stratfield, Inc.,
Strex Drug and Chemical Co.,
Stull Bro's. Co.,
Sturgis Engineering Corporation,
Sturm Painting Company,
Stuyvesant Laboratories, Inc.,
Stuyvesant Realty Co.,
Style Dress Shop,
Styler Shoe Corp.,
Subock Investment Company,
Suburban Electrical Supply Company, Inc.,
Suburban Home Realty Co.,
Sullivan and Dolan Company,
Sumarap Realty Corporation,
Summit Contracting Company,
Sun Agency,
Sunnyside Gardens Co.,
Sunny-Side Rose Corporation,
Sunrise Corporation,
Sunset Island Improvement Co.,
Sunset Motor Lines, Inc.,
Sunset Terrace, Inc.,
Sunshine Farms,
Super-Curline Beauty Salon, Inc.,
Superette Market, Inc.,
Superior Chemical Co.,
Superior Handbag Co., Inc.,
Superior Hard Rubber Company,
Super Service Garage, Inc.,
Super-Star Baking Company, Inc.,

Surgical and Medical Supply Company, Inc.,
Surrey Sportswear, Inc.,
S. Volpin & Son, Inc.,
Swane-Bard, Inc.,
S. W. D. Realty Co. Inc.,
Swenson Dry Dock Corporation,
Sylvan Boulevard Realty Co., Inc.,
S. Zarchin, Inc.,

Tampa Realty Corp.,
Tanker, City of New Bern, Inc.,
Tarn Realty Company,
Tasson Products Company, Inc.,
Tas-Tee Sandwich Co. Inc.,
Tate Realty Company,
Tavrig Realty Co.,
"Taylor-Arvid Systems, Inc., of New Jersey.",
Taylor Brothers Fish Company,
Taylor & Dewalt, Inc.,
Taylor Laboratories, Inc.,
T. C. Holding Co.,
Teaneck First National Development Corp.,
Tech Neon Laboratory, Inc.,
Technical Service Council of America, Inc.,
Teddy's Service Station, Inc.,
Television Distributors, Inc.,
Temple Theatre Co., Inc.,
Tem-Ting Chow Mein Co., Inc.,
Tenstat Corp.,
10th Avenue Corporation,
Terminal Driving Range, Inc.,
Terminal Holding Corp.,
Terminal Laundry, Inc.,
Terrace Catering Corporation,
Terry-Jean, Inc.,
Textile Art Print Works, Inc.,
T. F. M. Realty Co., Inc.,
Thac Industrial Products Corporation,
Theatre Group Players, Inc.,
Theodore W. Bauer, Inc.,
37 Duncan Ave., Inc.,
36-40 South Munn Avenue, Inc.,

Thistle-Dhu Farms, Inc.,
Thomas E. Maddams Company,
Thompson Electric Company,
Thompson, Inc.,
Thornwood Corporation,
352 Clinton Realty Company,
391 Chadwick Avenue, Inc.,
373 Realty Co. Inc.,
366 Walnut Tavern, Inc.,
Thrift Homes, Inc.,
Tichenor Properties, Inc.,
Tiffany Textile Print Works,
Tilley and Waller Corporation,
Tilton Silk Company,
Title Clearing Corporation,
Tiverton Realty Company,
T. J. Graham, Inc.,
T. J. McDonough, Inc.,
Top Realty Co.,
Tortoni Ice Cream Company,
Towaco Market, Inc.,
Town House,
T. P. Cunningham Inc.,
Trakan Construction Corporation,
Transparent Container Corporation,
Transparent Protection Co. Inc.,
Transportation Surveys, Inc.,
Transport & Trading Co. Inc.,
Trap Rock Products, Inc.,
Traynor Apartments,
Tree Realty Company,
The Tregger Company,
Treg Inc.,
Trent Machine Company,
Trenton Fresh Meat Specialty Company,
Trenton Plumbing Supply Company,
Trenton Sports Center, Inc.,
Trenton Store Fixture Exchange,
Triangle Dyeing & Finishing Co.,
Triangle Lighting Company,
Tri-City Investment Co.,
Tri M Metals Co.,

Tri State Tool Company, Inc.,
Trocadero Catering Company,
Troy Hills Meadow Land Co.,
T. S. Silliman, Inc.,
T. Taylor,
T. and T. Trucking Co., Inc.,
Tuckerton Gas Company,
The Turk's Head, Inc.,
Turnpike Laundry Company,
Turnpike Realty Company,
12 East Park Street Tavern, Inc.,
Twentieth Century Agency, Inc.,
"28 Elmwood Corp",
24 Clinton Place Corporation,
29 Ranch Corporation,
Twenty-Sixth Street Corporation,
Twin-Boro Construction Company, Inc.,
Twin Oaks,
Twin Towers, Inc.,
Two Hundred Newark Avenue Realty Co.,
266 Holding Company, Inc.,
225 Orient Avenue, Inc.,
220 West Street Co.,
Tyler Holding Co.,

Underground Conduit Constructions Inc.,
Union Beach Clothing Co.,
Union Concrete Products Company,
Union Construction and Engineering Co., Inc.,
Union Development Corporation,
Union Display Service Corporation,
Union Lumber and Supply Co.,
Union Plastics Co. Inc.,
Union Salvage Company,
Union Sanitary Market, Inc.,
United Clothing Corporation of New Jersey,
United Electrical Workers Co-operative Association,
United Enterprises, Inc.,
United Institute of Aeronautics, Inc.,
United Plastering & Contracting Co.,
United Plastic Products Inc.,
United Rapids Furniture, Inc.,

United Showers Corporation,
United States Accounting Company,
U. S. Advertising and Neon Signs Corp.,
U. S. Construction Co.,
United States Credit Finance Bureau, Inc.,
U. S. Felt Manufacturing Co., Inc.,
United States Food Stores, Inc.,
U. S. Garage, Inc.,
U. S. Porcelain Co.,
United Synagogue Press,
United Vending Co. Inc.,
United Wholesale Butchers, Inc.,
Unit Masonry Contractors, Inc.,
Unity Machine Corporation,
Universal Collection Agency, Inc.,
Universal Home Builders, Inc. A New Jersey Corporation,
Universal Liquor Corporation,
Urbanek Co.,
Urban and Suburban Properties, Incorporated,

Valante & Chalaye Sales Corp.,
Vali Construction Corporation,
Val Realty Co.,
Valve-Oil Corporation,
Van Hart, Inc.,
The Van Noordt Land Company,
Variety Sport Wear Corp.,
Ventnor Fish Market, Inc.,
Vernon Holding Co.,
Verrone Wiping Materials Co. Inc.,
Versa Realty Company,
Vertner Motors, Inc.,
Victoria Orchards, Incorporated,
Victor Mauck Seamless Copper Tank Corporation,
Victor Schoonover, Inc.,
Video, Incorporated,
Village Diner, Inc.,
Vincent's Beauty-Salon Inc.,
Vineland Realty Agency, Inc.,
Virdol Farm, Inc.,
Virginia Manor Hotel, Inc.,
Visbeen Construction Co., Inc.,

Visual Broadcasting Corporation,
Vitalizer Inc.,
Vitrolight Neon Corp.,
V. J. Burnelli Airplanes, Inc.,
Vogue Realty Corporation,
Vogue Shoe Company, Inc.,
Vonovich Construction Co. Inc.,
Vreeland's Tire Service, Inc.,
Vulcan Contracting Company,

Waddel & Bannigan, Incorporated,
Wadhem, Inc.,
Wagon Wheel Inc.,
Waible Holding Company,
Walbrecht's Tavern, Inc.,
Walden Air-Conditioning Corporation,
The Walden-Cooke Company,
Waldmere Hotel Operating Corporation,
Walker Advertising Co. Inc.,
Walker Tile Co.,
Walker & Walker Developers, Inc.,
Walling Kip Land Company,
Walpack Associates,
Walter A. Grub & Bro., Inc.,
Walter Brown Supply Co.,
Walter E. Binz Holding Co. Inc.,
Walter's Market, Inc.,
Walter S. Platt Incorporated,
Walton Holding Company, Inc.,
The Wanamaker Academy of Beauty Culture, Inc.,
Wanamaker, Inc.,
Wanango Oil Corp.,
Wanesa, Inc.,
Warner Road Building Co.,
Warren Coat, Inc.,
Warren County Hardware Co. Inc.,
Warren's Paint Store, Inc.,
Washington Bridge Holding Co., Inc.,
Washington Diner, Inc.,
Watchung Plaza News Service, Inc.,
Water of Youth, Inc.,
Watkins Stove & Stove Repair Co.,
W. Decker, Inc.,

Wechsler & Salz, Inc.,
Weehawken Embroidery Works, Inc.,
Weequahic Realty Company,
Weh Realty Company,
Welded Steel Tube Corporation,
Welfare Investment Co.,
Well-Bilt Building Co.,
Well Made Cloak and Suit Company, Inc.,
Wes-Pin Building Co.,
Wessex Company,
West Allenhurst Improvement Company,
West and Company,
Westcott Hughes Hotel Restaurants, Inc.,
West End Homes, Inc.,
West Englewood Realty Association, Inc.,
Westfield Heating Service, Inc.,
West Hudson Coal Co.,
West Orange, Verona, Cedar Grove Bus Transportation Co. Inc.,
Westra's Market, Inc.,
Westside Furniture Co. Inc.,
Westville Gardens Corporation,
Westwood Holding Company,
The Westwood News, Inc.,
W. E. Wood, Inc.,
W. F. O'Brien & Company,
W. H. Ahrens, Inc.,
Whippany Drugs, Inc.,
White Buck Fuels, Inc.,
White Circle Sales Corporation,
White Dove, Inc.,
White Eagle Hall of Jersey City Inc.,
Whitegg Farm,
White Star Cafe, Inc.,
White Star Creamery, Inc.,
Whittier Realty Company,
Wiggy Hat Co., Inc.,
Wilder Operating Co. Inc.,
Wilkie Golf, Inc.,
Willard Dunham, Inc.,
Willbern Corporation,
Willcha Corporation,

William A. Woodbury Pharmacial Corp.,
William B. Walrath Realty Company,
Wm. D. Decker & Co.,
Wm. Eisenberg & Sons, Inc.,
William H. Rothe & Co., Inc.,
William J. Kaveny, Inc.,
William and Max Hess, Inc.,
William R. Roberts, Inc.,
Williams Silk Co.,
Williams & Williams Co., Inc.,
William Yeskel & Sons,
Willow Garment Co., Inc.,
Wilmar Holding Co.,
Wilmington-Deepwater Tunnel Company,
Wilson Supply Co., Inc.,
Windsor Building Co. Inc.,
Winkler & Navatier, Inc., No. 2,
Winston Realty Co.,
Winter Grove Restaurant,
Wireless Research Corporation,
Wire Wheel Repair & Sales Co.,
W & K Company, Inc.,
Wolf Company,
Wonder Crop Markets,
Wood Avenue Investors, Inc.,
Woodbury Music Corporation,
Woodlane Company, Inc.,
Wood Motor Car Company, Inc.,
Woodruff's Pharmacy,
Workingman's Co-operative Business and Loan Company,
World Fur Dressing Company,
World Travels, Inc.,
Wortendyke Coal and Supply Co.,
Wrico Corporation,
Wright, Cherry & Colman, Inc.,
Wright Town Shop,
W. S. Realty Corporation,
Wyn's Cut Rate Drug Stores,

X. Y. Z. Corporation,

Y. A. M. Realty Corporation,
Yantacaw Realty & Investment Co.,
Ye Milford Realty Corporation,
York Crane Service, Inc.,
Youells Rat Snap Company, Inc.,
Your Ad Match Co.,
Yvonne Coat Co. Inc.,

Zach Plumbing & Heating Co.,
Zahn Glass & Mirror Co.,
Zaphon Company,
Zeitlin's,
Zimmer & Holden, Inc.,
Zulando, Inc.,
Zylocase Company,

are void, and all powers conferred by law upon such corporations and each of them, are hereby declared inoperative and void.

Given under my hand and the Great Seal of New Jersey, this twentieth day [SEAL] of January, A. D. one thousand nine hundred and forty-four, and in the Independence of the United States, the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Again the Red Cross is appealing to the people of the United States in a very special way for funds. Ninety per cent of the money collected in this year's drive will go to war work. High ranking military officers and returning servicemen vouch for the efficiency with which the money is distributed and spent. All agree that the Red Cross works swiftly, effectively and mercifully.

The national quota this year is two hundred million dollars ($200,000,000), or about sixty per cent greater than last year's quota. New Jersey's quota is seven million, one hundred and ten thousand dollars ($7,110,000), which is also about sixty per cent over the State's quota last year.

Even though this is a great increase over last year's requirements, I feel confident that New Jersey will respond generously to this call. We must provide the Red Cross with the means to carry on during the coming year.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim the campaign to be conducted from

MARCH 1ST TO MARCH 31ST,

as

THE 1944 WAR FUND CAMPAIGN OF THE AMERICAN RED CROSS,

and I appeal to the people of New Jersey to see to it that the State meets its quota, even though sacrifices may be necessary to accomplish this.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] twenty-fourth day of February, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, ARTHUR WALSH was duly appointed a United States Senator to fill the vacancy caused by the death of W. Warren Barbour, who was elected on November 5, 1940, for the full term, to represent the State of New Jersey in the Senate of the United States,

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, pursuant to law, do hereby issue this proclamation, directing that at the primary election to be held on Tuesday, May 16, 1944, there shall be selected candidates for the office of United States Senator from New Jersey, to be voted on November seventh, one thousand nine hundred and forty-four.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] third day of March, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The Laws of the State of New Jersey provide that the Governor shall, upon the request of The Good-Will Commission of the State of New Jersey, establish each year by proclamation a certain day for the promotion of racial and religious amity and understanding.

Recognizing the great need for the development of a spirit of tolerance and good will, without which there can be no real world peace or national unity, and in accordance with the request of the Commission,

I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, MAY 18TH,

as

GOOD-WILL DAY

in the State of New Jersey, and I urge the citizens of our State and organizations of all kinds to supplement the work of the Good-Will Commission of New Jersey by participating in exercises appropriate to the occasion.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] second day of May, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, I consider it in the public interest that a Special Session of the Legislature be convened for the purpose of considering and acting upon bills regulating municipal pensions of policemen

and firemen, which matters were considered at the Regular Session of the Legislature, but upon request of representatives of police and firemen's organizations action was withheld for the purpose of further study, at which time I indicated that I would convene the Legislature in Special Session for the purpose of further consideration of these important measures; now

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Legislature of this State to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the twenty-second day of May, nineteen hundred and forty-four, at the hour of two o'clock in the afternoon of said day, for the purpose of considering and acting upon bills regulating municipal pensions of policemen and firemen.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] fifteenth day of May, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Sunday, May 21st, has been set aside to give public recognition to the acquisition of citizenship during the year by Americans who have reached the age of twenty-one and foreign-born residents who have become naturalized.

This is an historic time in which to become a citizen. Here in New Jersey, the new citizens will have the great privilege of voting on a new Constitution, the first change in one hundred years.

In time of war, when the whole world is fighting to preserve the rights of people to govern themselves, these new citizens will be able to participate directly in government. It is a good time, also, for all citizens to rededicate their faith and belief in our great nation and to be ready to accept every sacrifice.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby designate

SUNDAY, MAY 21ST,

as

I AM AN AMERICAN DAY,

and I ask State and local officials, patriotic, civic and educational organizations to plan exercises designed to assist the new citizens toward an understanding of the responsibilities of citizenship.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] twenty-seventh day of April, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Again the people of America are being called upon to support our armed forces in their mighty undertaking by subscribing to the Fifth War Loan.

This is a critical period. Now that the invasion is under way, the burden of anxiety on each individual has become more weighty, as practically every family has someone in the military service.

More than ever it is up to individuals to help supply the implements of war by subscribing to the loan. D-day witnessed a most edifying outpouring of religious faith and supplication for the safety and success of our fighting forces. To our prayers we must add the necessary practical support which purchase of war bonds will insure.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby call upon the people of New Jersey to strain every effort and make

every possible sacrifice to insure the success of the Fifth War Loan Drive, which will be conducted from

JUNE 12TH TO JULY 8TH.

The quota for individual subscriptions in this State is $219,000,000 and the total quota for New Jersey is $635,000,000, or $35,000,000 more than the total for the Fourth War Loan. Vast as this amount is, I have every confidence the people of New Jersey will meet this emergency by over-subscribing this loan.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] ninth day of June, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Observance of Flag Day in this year of 1944 takes on a deeper significance than usual. Our flag always has been a symbol of freedom and unity. We hope and pray that before long it will be a symbol of absolute victory over our foes.

The present situation calls for something more than a perfunctory observance of the day. We should observe it with patriotic ardor and a profound appreciation of the sacrifices now being made both home and abroad to keep the flag flying over a free people.

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, do hereby proclaim

WEDNESDAY, JUNE 14TH,

as

FLAG DAY,

and I ask that the flag be flown from homes, public buildings and places of business; that people renew their Oath of Allegiance to the Flag, and that appropriate exercises be conducted throughout the State on this day.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] ninth day of June, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, public necessity requires the convening of the Senate of the State of New Jersey in Special Session;

THEREFORE, I, WALTER E. EDGE, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Senate of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Friday, the sixteenth day of June, nineteen hundred and forty-four, at eleven o'clock in the forenoon of said day for the purpose of receiving nominations.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] twelfth day of June, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-eighth.

WALTER E. EDGE,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Sales of "E" bonds in the Fifth War Loan Drive have fallen far below expectations, both in New Jersey and in other parts of the country. This feature of the drive is most important, as the continued and increasing sale of these bonds plays such a tremendous part in our national economy, both from the standpoint of providing materials vital to winning the war and in the fight against inflation.

The disappointing results to date must be offset by renewed and vigorous efforts on the part of those selling the bonds and by increased sacrifices on the part of the purchasers. It is recognized that in many cases such efforts will be difficult, but only by such methods can we hope to keep faith with our fighting forces and attain the goal which has been set.

Because of the urgency of the situation, I, HOWARD EASTWOOD, Acting Governor of the State of New Jersey, do hereby declare

TUESDAY, JULY 25TH,

as

"E" DAY

in the State of New Jersey. I call upon the people of this State to put forth an extraordinary effort on this day in the sale and purchase of "E" bonds, in order that our State may maintain its proud place in the war financing effort and that our

representatives in the armed forces may know that we are doing all in our power to sustain them in their fight.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] nineteenth day of July, in the year of Our Lord one thousand nine hundred and forty-four, and in the Independence of the United States the one hundred and sixty-ninth.

HOWARD EASTWOOD,
Acting Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

Cumulative Table of Contents

OF

NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END), 1943 AND 1944 GENERAL AND PERMANENT LEGISLATION

Supplementing Cumulative Table of Contents, 1938-1942 (through Chapter 280), appearing in 1942 Pamphlet Laws

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SCHEDULE 1

Table of Allocation of 1942 Statutes (Chapters 281 to end)

SCHEDULE 2

Table of Allocation of 1943 Statutes

SCHEDULE 3

Table of Allocation of 1944 Statutes

SCHEDULE 4

Table of Numbered Sections Added to Revised Statutes (1937) 1942 (Chapters 281 to end)—1943-1944

SCHEDULE 5

Table of Public Validating Acts 1942 (Chapters 281 to end)—1943-1944

Prepared by

LAW REVISION AND BILL DRAFTING COMMISSION

Formerly

COMMISSION ON STATUTES

FRANK H. SOMMER, *Chairman*
WILLIAM J. MORRISON, JR.
SEDGWICK RUSLING LEAP
GEORGE H. STANGER
HAROLD W. HANNOLD
Commissioners

CHARLES DEF. BESORÉ
JOHN B. MCGEEHAN
Counsel

CUMULATIVE TABLE OF CONTENTS

OF

NEW JERSEY LAWS OF 1942 (CHAPTERS 281 TO END), 1943 AND 1944

GENERAL AND PERMANENT LEGISLATION

The following Table of Contents with the Schedules annexed have been prepared and printed pursuant to chapter 379 of the laws of 1939 to indicate changes made in the general and permanent statute law subsequent to the enactment of chapter 280 of the laws of 1942.

Changes made in the general and permanent statute law from the enactment of the Revised Statutes (1937) through chapter 280 of the laws of 1942 are to be found in the Cumulative Table of Contents contained in the Pamphlet Laws of 1942 at page 875, etc.

The classification used is that of the Revised Statutes amplified so as to include material for which no adequate classification units appear in the Revised Statutes. In all cases in which new chapter or other subdivision headings or new section numbers are set up they are designated in the Table as "Added" or "New." Where a chapter or other subdivision heading or section number is designated as "Added" it has been set up in the statute classified under it. Where a chapter or other subdivision heading is designated as "New" it has been set up and a number assigned, for convenience in classification, by the Law Revision and Bill Drafting Commission (formerly Commission on Statutes). The use of such designations or numbers alone, whether they are designated as "Added" or "New," in citation or in legislation is not sufficiently descriptive to indicate where the material is to be found in the Pamphlet Laws and, when so used, such designations should be amplified by adding the year and chapter numbers of the material intended to be referred to.

Acknowledgment is made to Charles DeF. Besoré, Esq., for the use of the arrangement of his "Table of Contents, etc., of 1938," which forms the basis of the arrangement of this Table of Contents.

Title 1. ACTS, LAWS AND STATUTES.

Chapter 9. PERMANENT LAW REVISION COMMISSION.

Additional Legislation.

Law Revision and Bill Drafting Commission, Commission on Statutes continued as; powers and duties defined, 1944, c. 105.

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Subtitle 1. THE COURTS.

Chapter 3. PREROGATIVE COURT.

Additional Legislation.

Masters in Chancery, ex officio, Masters of Prerogative Court, suppl., 1944, c. 173.

Chapter 7. ORPHANS' COURTS AND SURROGATES.

R. S. 2:7–13 amended 1943, c. 23.

R. S. 2:7–19 " 1944, c. 67.

Chapter 8. DISTRICT COURTS.

R. S. 2:8–23 amended 1944, c. 165.

R. S. 2:8–33 " 1944, c. 136.

Chapter 16. PROVISIONS COMMON TO MORE THAN ONE COURT.

Additional Legislation.

Judgeship vacated by election, etc., of incumbent to public office, 1942, c. 240.

Sec. 1 of above amended 1943, c. 12.

Subtitle 6. PRACTICE AND PROCEDURE IN CIVIL ACTIONS GENERALLY.

Chapter 26. PROCEDURE COMMON TO MORE THAN ONE COURT.

Article 1. General Provisions.

Note: For proceedings involving certain absent defendants, etc., in time of war, see 1943, c. 32; 1943, c. 178.

Article 3. Lis Pendens.

R. S. 2:26–30 amended 1944, c. 174.

Article 4. Process in General.

A. SERVICE IN GENERAL.

Additional Legislation.

Absent defendants, certain, in time of war, proceedings involving, 1943, c. 32.

A1. (new) SERVICE IN ORPHANS' AND PREROGATIVE COURTS.

Additional Legislation.

Absent defendants, etc., certain, in time of war, proceedings involving, 1943, c. 178.

Chapter 27. PROCEDURE IN COURTS OF LAW GENERALLY.

Note: For proceedings involving certain absent defendants in time of war, see 1943, c. 32.

R. S. 2:27–135 amended 1943, c. 114.

Additional Legislation.

Supreme Court Commissioners, powers of Circuit Court Judges acting as, regulated, suppl., 1943, c. 215.

Chapter 29. PROCEDURE IN COURT OF CHANCERY.

Article 3A. (new) Absent Defendants in Time of War.

Additional Legislation.

Defendants in enemy or enemy-occupied counties, service upon, appearance, etc., for; effect, etc., of decree; intervention, etc., of alien property custodian, 1942, c. 297.

Chapter 30. PROCEDURE IN PREROGATIVE COURT.

Note: For proceeding involving certain absent defendants, etc., in time of war, see 1943, c. 178.

Chapter 31. PROCEDURE IN ORPHANS' COURTS AND BEFORE SURROGATES.

Note: For proceedings involving certain absent defendants, etc., in time of war, see 1943, c. 178.

Chapter 32. PROCEDURE IN DISTRICT COURTS

R. S. 2:32-26 amended 1943, c. 203.
R. S. 2:32-82 " 1944, c. 164.
R. S. 2:32-90 " 1944, c. 186.
R. S. 2:32-107 " 1942, c. 333.
R. S. 2:32-158 " 1943, c. 65.
R. S. 2:32-180 " 1943, c. 73.
R. S. 2:32-267 " 1944, c. 184.
R. S. 2:32-268 " 1944, c. 183.
R. S. 2:32-269 " 1943, c. 66.

Subtitle 8. SPECIFIC CIVIL ACTIONS, REMEDIES AND PROCEEDINGS.

Chapter 47. DEATH BY WRONGFUL ACT.

R. S. 2:47-4 amended 1943, c. 79.

Chapter 58. LANDLORD AND TENANT; RIGHTS AND REMEDIES.

R. S. 2:58-26 amended 1944, c. 131.

Chapter 60. LIENS—BONDS OF AND MONEY PAID TO CONTRACTORS ON PUBLIC WORKS.

Article 20. (new) Factors' Liens.

Additional Legislation.

Liens by factors or pledgees on merchandise or proceeds thereof, suppl., 1942, c. 182.

Sec. 6 of above amended 1944, c. 76.

Subtitle 10. JURIES.

Chapter 85. QUALIFICATIONS OF JURORS.

R. S. 2:85-1 amended 1943, c. 113.

Chapter 87. COMMISSIONERS OF JURIES.

R. S. 2:87-1 amended 1944, c. 96, ss. 1, 9, 10.
R. S. 2:87-4 " 1944, c. 96, s. 2.
R. S. 2:87-6 " 1944, c. 96, s. 3.
R. S. 2:87-7 " 1944, c. 96, s. 4.
R. S. 2:87-8 " 1944, c. 96, s. 5.
R. S. 2:87-11 " 1944, c. 96, s. 6.
R. S. 2:87-12 " 1944, c. 96, s. 7.
R. S. 2:87-13 " 1944, c. 96, s. 8.

Subtitle 13. CRIMES.

Chapter 121. DESERTION.

R. S. 2:121–2 amended 1944, c. 195.

Chapter 122A. (new) DISCRIMINATIONS.

Refusal of shelter during air-raids or air-raid alarms, prohibited, 1942, c. 298.

Chapter 171A. (new) TICKET SCALPING.

Ticket scalping regulated, 1944, c. 12.

Subtitle 14. CRIMINAL PROCEDURE.

Chapter 182. PROSECUTORS OF THE PLEAS.

R. S. 2:182–10 amended 1944, c. 66.
R. S. 2:182–15 " 1944, c. 32.

Chapter 184. JURISDICTION AND VENUE.

Additional Legislation.

Accessory to crime in county other than that in which crime committed, indictment and trial of, 1944, c. 198.

Chapter 190. TRIAL; NEW TRIAL.

R. S. 2:190–17 amended 1943, c. 41, s. 2.

Additional Legislation.

Special verdict as to insanity, when pleaded, required, suppl., 1943, c. 41, s. 1.

Chapter 192. SENTENCE AND IMPRISONMENT.

R. S. 2:192–1 amended 1944, c. 10.

Additional Legislation.

Combined sentence to imprisonment and on probation, provided for, suppl., 1943, c. 40.

Chapter 195. WRITS OF ERROR.

R. S. 2:195–1 amended 1943, c. 42, s. 1.
R. S. 2:195–2 repealed 1943, c. 42, s. 2.
R. S. 2:195–14 amended 1943, c. 43, s. 1.
R. S. 2:195–15 " 1943, c. 43, s. 2.
R. S. 2:195–16 " 1943, c. 43, s. 3.

Chapter 199. PROBATION AND PAROLE.

Note: For combined sentence to imprisonment and on probation provided for, see 1943, c. 40.

Article 1. General Provisions.

R. S. 2:199–5 amended 1944, c. 190.

Subtitle 15. DISORDERLY PERSONS.

Chapter 202. DISORDERLY PERSONS GENERALLY.

Article 1. Certain Disorderly Persons Enumerated.

R. S. 2:202–3 amended 1942, c. 305.

R. S. 2:202–13 " 1944, c. 11.

Additional Legislation.

Food stamps, etc., misuse of, prohibited, suppl., 1941, c. 204.

Sec. 1 of above amended 1942, c. 315, s. 1.

Sec. 2 repealed 1942, c. 315, s. 2.

Identification cards and badges, misuse of, prohibited, suppl., 1943, c. 205.

Poisons, etc., placing with intent to injure, etc., certain domestic animals, prohibited, suppl., 1944, c. 133.

Article 4. Disorderly Acts Relating to Railroads, Railways and Public Conveyances.

R. S. 2:202–26 amended 1944, c. 53.

Additional Legislation.

Smoking, etc., in buses or trolley cars prohibited, suppl., 1944, c. 14.

Article 6. Trespassing.

Additional Legislation.

"Victory Gardens," trespassing upon, prohibited, suppl., 1943, c. 136.

Chapter 205. PUNISHMENT OF DISORDERLY PERSONS.

R. S. 2:205–1 amended 1942, c. 314, s. 1.

R. S. 2:205–2 " 1942, c. 314, s. 2.

Chapter 206. PROCEDURE.

R. S. 2:206–1 amended 1942, c. 314, s. 3.

R. S. 2:206–3 " 1942, c. 314, s. 4.

R. S. 2:206–4 " 1942, c. 314, s. 5.

R. S. 2:206–5 " 1942, c. 314, s. 6.

Subtitle 17. CRIMINAL JUDICIAL DISTRICT COURTS.

Chapter 212. CONSTITUTION AND PERSONNEL.

R. S. 2:212–4 1926, c. 210, repealed 1944, c. 28, s. 5.

R. S. 2:212–4 1926, c. 211, repealed 1944, c. 28, s. 5.

R. S. 2:212–6 amended 1944, c. 23.

Additional Legislation.

Judges, holding over after expiration of terms, provided for, suppl., 1943, c. 59.

Criminal Judicial District Court of County of Bergen, established, 1944, c. 28; 1944, c. 39.

Chapter 213. JURISDICTION.

R. S. 2:213–2 amended 1943, c. 86.

Subtitle 18. POLICE COURTS AND MAGISTRATES.

Chapter 220. CITIES OF THE SECOND CLASS.

Additional Legislation.

Police court or city judge, certain second-class cities, appointment instead of election, provided for, 1944, c. 31.

Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Subtitle 2. WILLS, DESCENT AND DISTRIBUTION.

Chapter 2. WILLS.

Additional Legislation.

Probate of wills of nonresidents owning personal property within the State, authorized, in certain cases, 1942, c. 335.

Proof of execution of will when no subscribing witness available, in certain cases, suppl., 1944, c. 21; 1944, c. 109.

Subtitle 3. ADMINISTRATION BY EXECUTORS, ADMINISTRATORS, GUARDIANS AND TRUSTEES.

Chapter 7. APPOINTMENT AND GENERAL POWERS OF FIDUCIARIES.

Article 1. Executors and Administrators.

Additional Legislation.

Notice of probate of will, etc., to beneficiaries, required, 1944, c. 238.

Article 4. New, Additional, Substituted and Succeeding Fiduciaries.

Additional Legislation.

Substituted fiduciaries, for fiduciaries engaged in war service, appointment, etc., suppl., 1942, c. 160.

Title of above amended 1944, c. 129, s. 1.

Sec. 1 " " " 1944, c. 129, s. 2.

Sec. 2 " " " 1944, c. 129, s. 3.

Sec. 3 " " " 1944, c. 129, s. 4.

Sec. 4 " " " 1944, c. 129, s. 5.

Sec. 5 " " " 1944, c. 129, s. 6.

Sec. 6 " " " 1944, c. 129, s. 7.

Sec. 7 " " " 1944, c. 129, s. 8.

Sec. 8 " " " 1944, c. 129, s. 9.

Sec. 10 " " " 1944, c. 129, s. 10.

Sec. 11 " " " 1944, c. 129, s. 11.

Chapter 8. BONDS AND SURETIES.

Additional Legislation.

Discharge of sureties and cancellation of bonds, in certain cases, provided for, 1944, c. 181.

Chapter 16. INVESTMENTS.

Additional Legislation.

Investments in United States Savings Bonds and Treasury Savings Certificates held by fiduciaries; status of increases in redemption values as to income and principal, 1942, c. 287.

Securities, registration and holding in name of nominee, authorized, in certain cases, 1944, c. 114.

Chapter 17. SALE OR OTHER DISPOSITION OF REAL ESTATE BY FIDUCIARIES.

Additional Legislation.

Abandonment of real property by fiduciaries, in certain cases, authorized, suppl., 1943, c. 88.

Chapter 25. CREDITORS OF DECEDENTS; THEIR RIGHTS AND REMEDIES.

R. S. 3:25-21 amended 1944, c. 130.

Chapter 26. DEVISES, LEGACIES AND DISTRIBUTIVE SHARES.

R. S. 3:26-1 amended 1943, c. 82.

R. S. 3:26-2 " 1943, c. 84.

Subtitle 7. ABSENTEES.

Chapter 42A. (new) ABSENTEES IN ARMED FORCES OR MERCHANT MARINE.

Conservator for property of person serving in or with armed forces, appointment, powers, etc., 1944, c. 242.

Title 4. AGRICULTURE AND DOMESTIC ANIMALS.

Chapter 1. DEPARTMENT OF AGRICULTURE.

R. S. 4:1–4 amended 1944, c. 202, s. 1.

R. S. 4:1–5 " 1944, c. 202, s. 2.

R. S. 4:1–7 " 1944, c. 202, s. 3.

R. S. 4:1–8 " 1944, c. 202, s. 4.

R. S. 4:1–9 " 1944, c. 202, s. 5.

R. S. 4:1–13 " 1944, c. 202, s. 6.

R. S. 4:1–15 " 1944, c. 202, s. 7.

Additional Legislation.

Awards to schools for participation in farm labor, 1943, c. 214.

Chapter 9. FERTILIZERS AND OTHER PREPARATIONS FOR SOILS.

Article 4. (new) Horse Manure.

Additional Legislation.

Sale, etc., of unmanufactured horse manure, regulated, 1944, c. 43.

Chapter 12. RECEIVING, BUYING, TESTING, SAMPLING AND WEIGHING OF MILK AND CREAM.

R. S. 4:12–20 to 4:12–41 repealed 1943, c. 100, s. 23.

Additional Legislation.

Dealing, etc., in milk or cream on basis of butter fat content, regulated, suppl., 1943, c. 100.

Chapter 16. AGRICULTURAL EXPERIMENT STATION; FARM DEMONSTRATION.

Article 2. Miscellaneous Activities of Station.

Additional Legislation.

Farm labor, recruiting and placement, provided for, 1943, c. 106.

Article 5. (new) Victory Garden Educational Program.

Additional Legislation.

Educational program for promotion of production and conservation of food, provided for, 1943, c. 137.

Title 5. AMUSEMENTS, PUBLIC EXHIBITIONS AND MEETINGS.

Chapter 5. BREEDING AND RACING OF HORSES.

Additional Legislation.

New Jersey Horse Racing Act, 1940, c. 17.

Sec. 44 of above amended 1944, c. 227.

Title 8. CEMETERIES.

Chapter 2. PROPERTY, AND RIGHTS AND INTERESTS THEREIN.

R. S. 8:2–35 amended 1943, c. 36.

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

Subtitle 1. PARENTAL RELATIONSHIP AND CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

Chapter 2. CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

Additional Legislation.

Special guardians for certain minors to consent to enlistment of such minors in the military and naval service of the United States, provided for, 1942, c. 329.

Subtitle 2. ADOPTION, APPRENTICESHIP AND INDENTURE.

Chapter 3. ADOPTION.

R. S. 9:3–1 amended 1944, c. 239, s. 1.

R. S. 9:3–4 " 1944, c. 239, s. 2.

R. S. 9:3–9 " 1943, c. 104.

Subtitle 3. PROTECTIVE WELFARE LAWS.

Chapter 6. ABANDONMENT, ABUSE, CRUELTY AND NEGLECT.

R. S. 9:6–3 amended 1944, c. 196, s. 1.

R. S. 9:6–4 " 1944, c. 196, s. 2.

Subtitle 4. ILLEGITIMATE CHILDREN.

Chapter 17. BASTARDY PROCEEDINGS.

R. S. 9:17–1.1 amended 1943, c. 49.

Subtitle 5. JUVENILE AND DOMESTIC RELATIONS COURTS.

Chapter 18. ORGANIZATION OF COURT; JURISDICTION, POWERS AND PROCEDURE.

R. S. 9:18–12 amended 1943, c. 97.

Title 11. CIVIL SERVICE.

Subtitle 1. CIVIL SERVICE COMMISSION.

Chapter 1. THE COMMISSION.

R. S. 11:1–1 amended 1944, c. 65, s. 1.
R. S. 11:1–2 " 1944, c. 65, s. 2.
R. S. 11:1–6 " 1944, c. 65, s. 3.
R. S. 11:1–9 " 1944, c. 65, s. 4.

Chapter 2. THE CHIEF EXAMINER AND SECRETARY.

R. S. 11:2–1 amended 1944, c. 65, s. 5.
R. S. 11:2–3 " 1944, c. 65, s. 6.
R. S. 11:2–4 repealed 1944, c. 65, s. 7.
R. S. 11:2–5 amended 1944, c. 65, s. 8.
R. S. 11:2–6 " 1944, c. 65, s. 9.

Chapter 4. PURPOSE, CONSTRUCTION AND APPLICATION OF SUBTITLE.

R. S. 11:4–5

Note: For 1913, c. 139 and 1918, c. 234 repealed, see 1944, c. 20, s. 20.

Additional Legislation.

Legal assistants, Attorney General, under Civil Service, 1939, c. 101; repealed 1944, c. 20, s. 20.

Chapter 5. DUTIES OF COMMISSION.

R. S. 11:5–1 amended 1944, c. 65, s. 10.

Chapter 7. CLASSIFICATION OF POSITIONS.

Additional Legislation.

Adjustments of compensation after allocation of positions under new compensation plan, suppl., 1944, c. 65, s. 11.

Chapter 9. TESTS; EMPLOYMENT AND RE-EMPLOYMENT LISTS.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64.

Chapter 11. TEMPORARY AND EMERGENCY APPOINTMENTS; TRANSFERS.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64.

Subtitle 3. COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Chapter 21. APPOINTMENTS, PROMOTIONS, REMOVALS AND DISCHARGE IN GENERAL.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64.

Chapter 22. CLASSES OF CIVIL SERVICE.

Additional Legislation.

Competitive examinations, discontinuance, etc., provided for, suppl., 1944, c. 64.

Chapter 24A. (new) HOURS OF WORK, ATTENDANCE AND LEAVES OF ABSENCE.

Regulations as to holidays, hours of work, attendance, sick and other leaves of absence, suppl., 1939, c. 232.

Sec. 3 of above amended 1943, c. 200.

Title 12. COMMERCE AND NAVIGATION.

Chapter 8. PILOTS.

Additional Legislation.

Appointment of temporary branch and temporary deputy pilots, authorized, in certain cases, 1942, c. 349.

Chapter 12. PORT RARITAN DISTRICT.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85.

R. S. 12:12–1 to 12:12–10 repealed 1944, c. 85, s. 52.

Title 13. CONSERVATION AND DEVELOPMENT—PARKS AND RESERVATIONS.

Chapter 13. DELAWARE AND RARITAN CANAL.

Additional Legislation.

Use of canal for industrial water supply and recreational purposes, provided for, suppl., 1944, c. 172.

Title 14. CORPORATIONS, GENERAL.

Chapter 2. FORMATION.

R. S. 14:2–3 amended 1944, c. 215, s. 1.

Chapter 8. STOCK AND DIVIDENDS.

R. S. 14:8–3 amended 1943, c. 176.

Additional Legislation.

Nonredeemable preferred or special stocks, retirement of, provided for, suppl., 1943, c. 175.

Chapter 11. AMENDMENTS, CHANGES OR ALTERATIONS.

R. S. 14:11–15 amended 1944, c. 215, s. 2.

Chapter 12. MERGER OR CONSOLIDATION.

R. S. 14:12–9 amended 1943, c. 170.

Title 15. CORPORATIONS AND ASSOCIATIONS NOT FOR PROFIT.

Chapter 1. GENERAL PROVISIONS.

Note: For provision for incorporation of clubs or societies for social, intellectual and recreative purposes under this chapter, see 1944, c. 237.

Chapter 15. SOCIAL, INTELLECTUAL AND RECREATIVE SOCIETIES OR CLUBS.

R. S. 15:15–2 (added) — Incorporation of clubs or societies for social, intellectual and recreative purposes under R. S. 15:1–1 et seq. provided for, 1944, c. 237.

Title 16. CORPORATIONS AND ASSOCIATIONS, RELIGIOUS.

Chapter 1. GENERAL PROVISIONS.

Additional Legislation.

Consolidation of Cathedral Church or Foundation with Church Congregation, Parish, Society, etc., in certain cases, provided for, 1944, c. 143.

Chapter 12. PROTESTANT EPISCOPAL CHURCH.

Additional Legislation.

Common trust fund, in certain cases, provided for, 1944, c. 139.

Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Subtitle 2. FINANCIAL INSTITUTIONS.

PART 1. BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS AND CLEARING HOUSE ASSOCIATIONS.

Chapter 4. BANKS AND TRUST COMPANIES.

R. S. 17:4–27 amended 1942, c. 282; 1942, c. 341.

R. S. 17:4–103 " 1942, c. 336.

Additional Legislation.

Branch offices and agencies, establishment and maintenance, in certain cases, authorized, suppl., 1944, c. 30.

Dissolved banks and trust companies, liquidation of assets, in certain cases, provided for, 1944, c. 176, s. 1.

Chapter 6. SAVINGS BANKS.

Article 2. Powers and Restrictions.

R. S. 17:6–21 amended 1944, c. 147, s. 1.

R. S. 17:6–21.1 repealed 1944, c. 147, s. 2.

Article 6. Investments.

R. S. 17:6–54 amended 1944, c. 104, s. 1.

Additional Legislation.

Determination of legality of investments, provided for, suppl., 1944, c. 104, s. 2.

Article 10. Merger or Consolidation.

R. S. 17:6–72 amended 1944, c. 22, s. 1.

R. S. 17:6–74 " 1944, c. 22, s. 2.

Chapter 8. ISSUANCE OF PREFERRED AND DEPOSITORS' COMMON STOCK; REORGANIZATIONS.

R. S. 17:8–1 amended 1944, c. 25, s. 1.

Chapter 12. BUILDING AND LOAN ASSOCIATIONS.

R. S. 17:12–46 amended 1944, c. 82.

PART 5. FOREIGN INSTITUTIONS.

Chapter 16. REGULATION OF BUSINESS IN STATE.

R. S. 17:16–3 amended 1944, c. 209.

Subtitle 3. INSURANCE.

Part 1. INSURANCE COMPANIES GENERALLY.

Chapter 18. POWERS, DUTIES AND LIMITATIONS.

R. S. 17:18–3 amended 1943, c. 174.

Chapter 22. BROKERS AND AGENTS.

R. S. 17:22–1 to 17:22–5 repealed 1944, c. 175, s. 26.

Additional Legislation.

Insurance agents, licenses required, suppl., 1941, c. 118.

Sec. 1 of above repealed 1944, c. 175, s. 26.

Licensing, regulation and supervision of insurance agents, brokers and solicitors, suppl., 1944, c. 175, ss. 1-25, 27.

Chapter 23. REPORTS AND EXAMINATIONS.

R. S. 17:23–3 repealed 1944, c. 175, s. 26.

Chapter 26. AMENDMENTS, CHANGES AND ALTERATIONS.

Additional Legislation.

Mutual life insurance corporations, amendment of charters or certificates of incorporation, provided for, suppl., 1943, c. 14.

Chapter 28. POLICY FORM AND PROVISIONS.

R. S. 17:28–1 amended 1943, c. 159; 1944, c. 153.

Chapter 29. REBATES AND UNFAIR DISCRIMINATION.

R. S. 17:29–1 to 17:29–6 repealed 1944, c. 27, s. 27.

R. S. 17:29–8 " 1944, c. 27, s. 27.

R. S. 17:29–9 " 1944, c. 27, s. 27.

Chapter 29A. (new) RATES.

Making and applying of insurance rates and licensing of rating organizations, provided for, 1944, c. 27, ss. 1-26, 28.

Chapter 32. FOREIGN COMPANIES.

R. S. 17:32–6 repealed 1944, c. 175, s. 26.
R. S. 17:32–11 " 1944, c. 175, s. 26.
R. S. 17:32–12 amended 1944, c. 153, s. 2.

Chapter 33. FEES AND PENALTIES.

R. S. 17:33–2 amended 1943, c. 148, s. 12.

Part 2. LIFE INSURANCE.

Chapter 34. LIFE INSURANCE COMPANIES GENERALLY.

R. S. 17:34–15 amended 1943, c. 148, s. 3.
R. S. 17:34–17 " 1943, c. 148, s. 4.
R. S. 17:34–19 " 1943, c. 148, s. 5.
R. S. 17:34–22 " 1943, c. 148, s. 6.
R. S. 17:34–23 " 1943, c. 148, s. 7.
R. S. 17:34–24 " 1943, c. 148, s. 8.
R. S. 17:34–25 " 1943, c. 148, s. 10.
R. S. 17:34–25.1 " 1943, c. 148, s. 11.
R. S. 17:34–30 " 1944, c. 221.
R. S. 17:34–31 " 1944, c. 73.
R. S. 17:34–32 " 1943, c. 148, s. 9.
R. S. 17:34–41 " 1943, c. 13.

Additional Legislation.

Mutualized stock life insurance corporations, election of directors, in certain cases, provided for, suppl., 1943, c. 16.

Mutual life insurance corporations, election of directors, in certain cases, provided for, suppl., 1943, c. 15.

Standard Nonforfeiture Law (1943), suppl., 1943, c. 148, s. 1.

Standard Valuation Law (1943), suppl., 1943, c. 148, s. 2.

Chapter 35. ASSESSMENT LIFE INSURANCE COMPANIES.

Article 3. (new) Life, Accident and Health Insurance.

Additional Legislation.

Life, accident and health insurance policies and certificates issued by assessment life, health and accident insurance companies and associations and transaction of business by such companies and associations, regulated, suppl., 1938, c. 232.

Sec. 1 of above amended 1944, c. 101.

Part 3. FIRE INSURANCE.

Chapter 36. FIRE INSURANCE COMPANIES GENERALLY.

R. S. 17:36-3 to 17:36-5 repealed 1944, c. 171, s. 13.

R. S. 17:36-7 " 1944, c. 171, s. 13.

Additional Legislation.

Standard forms of policies, endorsements and supplemental contracts, provided for, 1944, c. 171.

Part 4. HEALTH AND ACCIDENT INSURANCE.

Chapter 38. UNIFORM POLICY PROVISIONS.

R. S. 17:38-1 amended 1944, c. 100.

Additional Legislation.

Standard provisions in group health and accident policies, filing of forms, etc., approval, etc., suppl., 1939, c. 305.

Sec. 2 of above amended 1944, c. 72, s. 1.

Sec. 4 " " " 1944, c. 72, s. 2.

Sec. 5 " " " 1944, c. 72, s. 3.

Part 9. (new) HOSPITAL AND MEDICAL SERVICE CORPORATIONS, ETC.

Chapter 48A. (new) MEDICAL SERVICE CORPORATIONS.

Medical service corporations, organization, regulation, etc., suppl., 1940, c. 74.

Sec. 1 of above amended 1944, c. 102, s. 1.

Sec. 2 " " " 1944, c. 102, s. 2.

Sec. 3 " " " 1944, c. 102, s. 2a.

Sec. 5 " " " 1944, c. 102, s. 3.

Sec. 6 " " " 1944, c. 102, s. 4.

Sec. 7 " " " 1944, c. 102, s. 5.

Sec. 8 " " " 1944, c. 102, s. 6.

Sec. 11 " " " 1944, c. 102, s. 7.

Sec. 20 " " " 1944, c. 102, s. 8.

Sec. 22 " " " 1944, c. 102, s. 9.

Title 18. EDUCATION.

Chapter 2. STATE BOARD OF EDUCATION.

Additional Legislation.

Inspection of records and furnishing of information, rules to be prescribed by State board, suppl., 1944, c. 217.

Chapter 3. COMMISSIONER OF EDUCATION.

R. S. 18:3–15 amended 1944, c. 168.

Chapter 4. COUNTY SUPERINTENDENTS OF SCHOOLS.

R. S. 18:4–2 amended 1944, c. 177.

Chapter 4A. (new) PUBLIC SCHOOL SYSTEM IN GENERAL.

Note: For tenure of office, etc., and pension rights of employees, see 1943, c. 187.

Tenure of office, etc., re-employment and pension rights, employees in war service, 1944, c. 226.

Chapter 5. SCHOOL DISTRICTS IN GENERAL.

Note: For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102; for establishment and administration of ration bank accounts, etc., see 1943, c. 142; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98; for tenure of office, etc., re-employment and pension rights of employees in war service, see 1944, c. 226.

R. S. 18:5–62 repealed 1944, c. 55.

R. S. 18:5–63 " 1944, c. 55.

Additional Legislation.

Tenure of office, etc., and pension rights, employees in war service, 1943, c. 187.

School employees, tenure, and pension rights preserved while in military service, suppl., 1941, c. 134, repealed 1944, c. 226, s. 4.

Chapter 6. SCHOOL DISTRICTS IN CITIES, AND IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS ACCEPTING THIS CHAPTER.

R. S. 18:6–49 amended 1943, c. 201, s. 1.

R. S. 18:6–50 " 1943, c. 201, s. 2.

Chapter 7. SCHOOL DISTRICTS IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS AND IN CITIES ACCEPTING THIS CHAPTER.

Article 3. Election of Members of Boards of Education; Annual School Elections; Special Elections.

Additional Legislation.

School elections registration, certain cases, regulated, suppl., 1944, c. 3.

Article 5A. (new) Budgets.

Additional Legislation.

Budgets, preparation, advertisement, hearing on, etc., provided for, suppl., 1943, c. 201, ss. 3 and 4.

Article 7. Bonds and Other Obligations.

R. S. 18:7–94 amended 1942, c. 319.

Article 10. Certain Districts Comprising More Than One Municipality.

R. S. 18:7–112 amended 1943, c. 201, s. 5.

R. S. 18:7–113 " 1943, c. 201, s. 6.

R. S. 18:7–114 " 1943, c. 201, s. 7.

Chapter 10. STATE SCHOOL MONEYS, AND APPORTIONMENT THEREOF.

R. S. 18:10–31 amended 1943, c. 177.

Additional Legislation.

Annual State appropriations for schools and distribution and apportionment thereof, provided for, suppl., 1943, c. 181.

Chapter 13. TEACHERS.

Article 2. Employment, Tenure, Resignation, and Dismissal of Teachers and Principals.

Note: For tenure of office, etc., re-employment and pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

R. S. 18:13–13 amended 1944, c. 180.

Article 3. Pension and Annuity Fund.

Note: For pension rights of employees in war service, see 1943, c. 187; 1944, c. 226.

A. PREAMBLE AND DEFINITIONS.

R. S. 18:13–25 amended 1944, c. 146, s. 1.

D. MEMBERSHIP.

R. S. 18:13–39 amended 1944, c. 185, s. 1.

R. S. 18:13–41 " 1944, c. 185, s. 2.

F. SUPERANNUATION RETIREMENT.

R. S. 18:13–52 amended 1943, c. 179.

M. FUNDS DERIVED FROM MEMBERS' CONTRIBUTIONS.

R. S. 18:13–78 amended 1944, c. 146, s. 2.

O. COLLECTION OF MEMBERS' CONTRIBUTIONS.

R. S. 18:13–94 amended 1944, c. 113, s. 1.

R. S. 18:13–95 " 1944, c. 113, s. 2.

Q. ADMINISTRATION.

R. S. 18:13–106 amended 1943, c. 180.

Chapter 14. PUPILS AND CONDUCT OF SCHOOLS IN GENERAL.

Article 1. Admission and Attendance of Pupils in General.

R. S. 18:14–7 amended 1944, c. 210.

Additional Legislation.

Free education to children of non-resident farm laborers, suppl., 1943, c. 91.

Article 2. Compulsory Education.

R. S. 18:14–47 amended 1944, c. 106.

Article 7. Conduct of Schools.

R. S. 18:14–80 amended 1944, c. 212.

R. S. 18:14–82 " 1943, c. 212; 1944, c. 107.

Chapter 15. SPECIAL SCHOOLS AND COURSES IN SCHOOL DISTRICTS OR IN COUNTIES.

Article 1A. (new) Nursery Schools and Nursery Classes.

Additional Legislation.

Nursery school and nursery departments in school districts, provided for, suppl., 1943, c. 172.

Chapter 16. PARTICULAR STATE SCHOOLS.

R. S. 18:16–27 repealed 1944, c. 140, s. 2.

Additional Legislation.

Work for needy students provided for in lieu of loans for tuition in normal schools and teachers' colleges, 1944, c. 140, s. 1.

Chapter 20. LAWS AFFECTING PRIVATE SCHOOLS AND COLLEGES.

Additional Legislation.

Private trade and technical schools, registration, approval examination, control, etc., by Commissioner of Education, suppl., 1942, c. 113.

Sec. 1 of above amended 1942, c. 323.

Title 19. ELECTIONS.

Subtitle 1. Any Election.

Chapter 2. TIME FOR HOLDING.

Additional Legislation.

Holding of primaries for general election in May, war time, provided for, suppl., 1944, c. 141.

Chapter 13. NOMINATION OF CANDIDATES.

R. S. 19:13–15 amended 1944, c. 157.

Chapter 14. BALLOTS.

Note: For certifications, requests, drawing for positions on ballots, etc., when to be made in 1944, see 1944, c. 208, s. 3.

Additional Legislation.

Use of names of candidates for President and Vice-President instead of those of Presidential Electors, provided for, suppl., 1944, c. 16.

Chapter 15. BALLOTING.

R. S. 19:15–7 repealed 1944, c. 230, s. 4.

R. S. 19:15–13 to 19:15–16 " 1944, c. 230, s. 4.

R. S. 19:15–35 " 1944, c. 230, s. 4.

R. S. 19:15–36 " 1944, c. 230, s. 4.

Subtitle 3. PRIMARY ELECTIONS.

Chapter 23. PRIMARY FOR GENERAL ELECTION.

Note: For provisions relating to holding of primaries in May during war time, see 1944, c. 141.

R. S. 19:23–17 amended 1944, c. 231.

Additional Legislation.

Printing of designations or slogans on ballots prohibited, certain cases, suppl., 1944, c. 8, s. 3.

Chapter 24. PRIMARY FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS.

R. S. 19:24–5 amended 1944, c. 8, s. 1.

Chapter 25. PETITION INDORSING CANDIDATE FOR PRESIDENT.

R. S. 19:25-1 repealed 1944, c. 8, s. 2.

R. S. 19:25-2 " 1944, c. 8, s. 2.

Subtitle 6. REGISTRATION OF VOTERS.

Chapter 30. MUNICIPALITIES NOT HAVING PERMANENT REGISTRATION.

Note: For requirement of permanent registration in all municipalities, see 1943, c. 218.

Chapter 31. MUNICIPALITIES HAVING PERMANENT REGISTRATION.

R. S. 19:31-11 amended 1944, c. 251.

Additional Legislation.

Permanent registration in all municipalities after July 1, 1943, provided for, suppl., 1941, c. 273, s. 1.

Sec. 1 of above amended 1943, c. 218.

Chapter 31A. (new) SIGNATURE COMPARISON RECORDS; FORM AND USE.

Signature comparison record act, suppl., 1941, c. 177 (amended 1943, c. 219), repealed 1944, c. 230, s. 4.

Form, use, etc., of signature comparison record, provided for, suppl., 1944, c. 230, ss. 1-3.

Subtitle 7. ENFORCEMENT OF ELECTION LAW.

Chapter 32. SUPERINTENDENT OF ELECTIONS.

R. S. 19:32-1 amended 1944, c. 45.

Subtitle 8. WAR TIME VOTING.

Note: For war time voting legislation (1944), see Subtitle 16 (new), this Title.

Subtitle 13. PUBLIC ELECTION EXPENSES.

Chapter 45. LIABILITY FOR.

R. S. 19:45-6 amended 1944, c. 152.

R. S. 19:45-7 " 1944, c. 178

Subtitle 15. VOTING MACHINES; PROCEDURE.

Chapter 48. VOTING MACHINES.

Additional Legislation.

Voting machines in first and second class counties, provided for, suppl., 1944, c. 7.

Chapter 49. BALLOTS.

R. S. 19:49–2 amended 1944, c. 127.

Chapter 50. INSTRUCTION CONCERNING VOTING MACHINES.

R. S. 19:50–3 amended 1944, c. 128.

Chapter 52. PROCEDURE AT POLLING PLACE.

R. S. 19:52–6 amended 1943, c. 80.

Additional Legislation.

Voting authorities, form and use of, provided, suppl., 1944, c. 213.

Subtitle 16. (new) ABSENTEE VOTING—MILITARY SERVICE.

Chapter 55. (new) IN TIME OF WAR.

Military service voting act (1944) 1944, c. 9.

Sec. 1 of above amended 1944, c. 95, s. 1.

Sec. 9 " " " 1944, c. 208, s. 1.

Candidates, names of, when placed on "Military Service Ballot," suppl., 1944, c. 208, s. 2.

Marking of envelopes for use with "Military Service Ballots," provided for, suppl., 1944, c. 95, s. 2.

Use of "Official Federal War Ballot," certain cases, provided for, suppl., 1944, c. 95, ss. 3-8.

Certifications, requests, drawing for positions on ballot, etc., when to be made in 1944, suppl., 1944, c. 208, s. 3.

Saving clause for 1944 General Election, 1944, c. 208, s. 4.

Title 22. FEES AND COSTS.

Chapter 2. IN CIVIL CAUSES AND PROCEEDINGS IN THE COURTS.

R. S. 22:2–50 amended 1943, c. 202.

Additional Legislation.

Fees for probate of wills, certain cases, waived, 1944, c. 188.

Chapter 4. FEES OF CERTAIN STATE AND COUNTY OFFICERS.

Note: For fees on issuance of commission to notary public payable to, and accountable by, Secretary of State, see 1944, c. 243.

Title 23. FISH AND GAME, WILD BIRDS AND ANIMALS.

Chapter 4. GAME, WILD BIRDS AND ANIMALS.

R. S. 23:4–1 amended 1944, c. 163, s. 1.

R. S. 23:4–8 " 1944, c. 78.

R. S. 23:4–12 " 1944, c. 163, s. 2.

R. S. 23:4–27 " 1943, c. 207.

Chapter 5. FISH.

Additional Legislation.

Uniform regulations on net fishing and licenses to net, 1941, c. 211.

Title of above amended 1942, c. 294, s. 1.

Sec. 11 " " " 1942, c. 294, s. 2.

Chapter 9. LOCAL AND SPECIAL PROVISIONS.

Article 6A. (new) Atlantic, Cape May, Cumberland, Gloucester and Salem Counties.

Note: For 1942, c. 55, amended to extend territorial, etc., effect, see Article 6B infra.

Article 6B. (new) Atlantic, Burlington, Cape May, Cumberland, Gloucester and Salem Counties.

Additional Legislation.

Hunting, etc., certain birds or animals while snow on ground, prohibited, 1942, c. 55.

Title of above amended 1943, c. 131, s. 1.

Sec. 1 " " " 1943, c. 131, s. 2.

Article 11. Mullica River and Tributaries.

Additional Legislation.

Erection, etc., of net or fishing device near fishery, certain cases, prohibited, 1944, c. 111.

Article 20. (new) Greenwood Lake.

Additional Legislation.

Reciprocal use of New York and New Jersey fishing licenses, provided for, suppl., 1943, c. 93.

Title 24. FOOD AND DRUGS.

Chapter 10. DAIRY PRODUCTS.

R. S. 24:10-16 amended 1942, c. 284.

Chapter 18. UNIFORM NARCOTIC DRUG LAW.

R. S. 24:18-2 amended 1944, c. 26.

Title 26. HEALTH AND VITAL STATISTICS.

Chapter 2. STATE DEPARTMENT OF HEALTH.

Article 1. Organization and Departmental Personnel.

R. S. 26:2-7 amended 1942, c. 309.

Article 2. Powers and Duties.

I. FEDERAL GRANTS FOR PUBLIC HEALTH WORK, MATERNAL AND CHILD WELFARE.

R. S. 26:2-60 amended 1944, c. 70, s. 1.

R. S. 26:2-61 " 1944, c. 70, s. 2.

L. (new) HOSPITALS FOR VENEREAL DISEASES.

Additional Legislation.

Maintenance and operation by department, provided for, suppl., 1944, c. 70, s. 3.

Chapter 3. LOCAL BOARDS OF HEALTH.

R. S. 26:3-41 amended 1943, c. 115, s. 1.

R. S. 26:3-42 " 1943, c. 115, s. 2.

R. S. 26:3-43 " 1943, c. 115, s. 3.

Title 27. HIGHWAYS.

Subtitle 1. STATE HIGHWAY DEPARTMENT AND COMMISSIONER.

Chapter 1. CONSTITUTION AND GENERAL POWERS.

R. S. 27:1–11 amended 1944, c. 159.

Additional Legislation.

Appointment, tenure, etc., of general solicitor to department, 1939, c. 75, repealed 1944, c. 20, s. 20.

Subtitle 3. STATE HIGHWAYS.

Chapter 6. STATE HIGHWAY ROUTES.

Route Trenton-Morrisville bridge to Route 26, 1943, c. 28.

Lincoln Tunnel approach highway, 1943, c. 52.

Route No. 29 southeasterly through Trenton, 1944, c. 37.

Route No. 44 to Route No. 48, 1944, c. 47.

Subtitle 4. STATE AID ROADS.

Chapter 13. STATE AID TO COUNTIES AND MUNICIPALITIES.

Additional Legislation.

State Aid Road Fund Account, provided for, 1943, c. 45.

Chapter 15. STATE AID TO MUNICIPALITIES

R. S. 27:15–1 amended 1944, c. 110, s. 1.

R. S. 27:15–4 " 1944, c. 110, s. 2.

R. S. 27:15–10 " 1944, c. 110, s. 3.

R. S. 27:15–11 " 1944, c. 110, s. 4.

Title 30. INSTITUTIONS AND AGENCIES.

Subtitle 1. STATE DEPARTMENTS AND INSTITUTIONS GOVERNED THEREBY.

Chapter 4. MANAGEMENT, CONTROL AND OPERATION OF INSTITUTIONS IN GENERAL.

R. S. 30:4–29 amended 1944, c. 52.

Subtitle 2. STATE BOARD OF CHILDREN'S GUARDIANS.

Chapter 5. ASSISTANCE TO AND CARE, CUSTODY, GUARDIANSHIP, ETC., OF CHILDREN.

R. S. 30:5–7 amended 1944, c. 194, s. 1.

R. S. 30:5–33 " 1944, c. 194, s. 2.

R. S. 30:5–37 " 1944, c. 194, s. 3.

R. S. 30:5–44 " 1944, c. 194, s. 4.

Additional Legislation.

Claims for reimbursement for financial assistance, compromise, provided for, 1943, c. 89.

Subtitle 3. BLIND, DEAF AND DUMB AND FEEBLE-MINDED PERSONS.

Chapter 6. RELIEF OF BLIND, DEAF AND DUMB AND FEEBLE-MINDED.

R. S. 30:6–3 amended 1944, c. 241, s. 1.

R. S. 30:6–6 repealed 1944, c. 241, s. 5.

R. S. 30:6–7 " 1944, c. 241, s. 5.

R. S. 30:6–11 amended 1944, c. 241, s. 2.

R. S. 30:6–12 repealed 1944, c. 241, s. 5.

R. S. 30:6–13 amended 1944, c. 241, s. 3.

R. S. 30:6–16 " 1944, c. 241, s. 4.

Subtitle 4. SOLDIERS' HOMES.

Chapter 6A. HOMES FOR DISABLED SOLDIERS, SAILORS AND MARINES AND THEIR WIVES AND WIDOWS.

R. S. 30:6A–14 amended 1943, c. 129.

Subtitle 6. COUNTY AND MUNICIPAL INSTITUTIONS.

Chapter 9. ASYLUMS AND HOSPITALS.

R. S. 30:9–50 amended 1942, c. 328.

Additional Legislation.

Medical director, assistants, etc., appointment, salary, etc., for hospitals and medical centers, certain first-class cities and counties, suppl., 1941, c. 52.

Sec. 1 of above amended 1943, c. 56.

Retirement system and pension fund benefits, suppl., 1943, c. 58.

Title 33. INTOXICATING LIQUORS.

Chapter 1. ALCOHOLIC BEVERAGE LAW.

R. S. 33:1–4 amended 1944, c. 216.

R. S. 33:1–12.1 repealed 1943, c. 47.

R. S. 33:1–25 amended 1943, c. 46.

R. S. 33:1–26 " 1943, c. 152.

R. S. 33:1–35 " 1943, c. 37.

R. S. 33:1–39 " 1943, c. 154

Additional Legislation.

Licensees not to limit amount of off premises sales; to post notice of disposal of stock of advertised brands, suppl., 1939, c. 171, repealed 1943, c. 153.

Licenses effective on expiration of licenses previously issued, renewals, suppl., 1939, c. 281.

Sec. 1 of above amended 1944, c. 187.

Title 34. LABOR AND WORKMEN'S COMPENSATION.

Chapter 2. CHILD AND FEMALE LABOR; MERCANTILE ESTABLISHMENTS.

Additional Legislation.

State Commission on Student Service established, powers, etc., suppl., 1942, c. 23.

Sec. 2 of above amended 1943, c. 195, s. 1.

Sec. 3 " " " 1943, c. 195, s. 2.

Sec. 23 " " " 1943, c. 44.

Certificates of merit for service (suppl., 1942, c. 23), suppl., 1943, c. 78.

Special dispensation for minors to work over hours, provided for, 1943, c. 146.

Chapter 6. INSPECTION AND REGULATION OF FACTORIES, MINES, WORKSHOPS AND OTHER INDUSTRIES.

Additional Legislation.

Industrial Homework Control and Licensing Law, 1941, c. 308.

Sec. 2 of above amended 1942, c. 307.

Chapter 8. EMPLOYMENT AGENCIES.

R. S. 34:8–2 amended 1944, c. 203.

Chapter 15. WORKMEN'S COMPENSATION.

Additional Legislation.

Limitation for filing petitions and instituting proceedings, certain cases, extended, suppl., 1943, c. 72.

Silicosis and Asbestosis, compensation provided for, suppl., 1944, c. 88.

Title 35. LEGAL ADVERTISEMENTS.

Chapter 1. LEGAL NEWSPAPERS.

Additional Legislation.

Suspension of publication, war time, certain cases, provided for, 1943, c. 105.

Chapter 2. OFFICIAL ADVERTISING.

R. S. 35:2–1 amended 1944, c. 156.

Additional Legislation.

County and municipal advertising in newspaper published outside of county or municipality, authorized, suppl., 1944, c. 83.

Title 36. LEGAL HOLIDAYS.

Chapter 1. LEGAL HOLIDAYS AND EFFECT THEREOF.

Additional Legislation.

Mother's Day and Father's Day, provided for, 1944, c. 116.

Title 38. MILITIA—SOLDIERS, SAILORS AND MARINES.

Subtitle 1. MILITIA.

Chapter 1. CLASSIFICATION OF MILITIA.

R. S. 38:1–1 amended 1942, c. 344.

Subtitle 2. SOLDIERS, SAILORS AND MARINES.

Chapter 16. TENURE OF OFFICE.

Additional Legislation.

Tenure of employees, etc., of joint municipal commissions in war service, provided for, 1944, c. 249.

Policemen, firemen and motor vehicle inspectors, time spent in war service to be counted in determining seniority, etc., 1944, c. 86.

Chapter 20. EDUCATION OF WAR ORPHANS.

R. S. 38:20–1 amended 1944, c. 197.

Chapter 23. LEAVE OF ABSENCE FROM PUBLIC EMPLOYMENT.

Additional Legislation.

Leave of absence of State, county, municipal, school district, etc., employees for military service, made obligatory, 1941, c. 119.

Title of above amended 1942, c. 327, s. 1.

Sec. 1 " " " 1942, c. 327, s. 2.

Pension and retirement fund rights of State, county, municipal, school district, etc., employees in military or naval service, saved, etc., suppl., 1942, c. 252.

Title of above amended 1942, c. 326, s. 1.

Sec. 1 " " " 1942, c. 326, s. 2; 1944, c. 87.

Sec. 2 " " " 1942, c. 326, s. 3.

Chapter 23A. (new) SPECIAL PRIVILEGES AND EXEMPTIONS OF PERSONS IN MILITARY AND NAVAL SERVICE.

Oaths, affidavits, acknowledgments, proofs, etc., by persons in military service, taking before commissioned officers, authorized, 1941, c. 333.

Sec. 1 of above amended 1943, c. 156.

Time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., 1944, c. 98.

Chapter 23B. (new) VETERANS' BUSINESS LOAN ACT (1944).

Veterans' Business Loan Act (1944), 1944, c. 126.

Chapter 24. STATE SERVICE OFFICER.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85.

R. S. 38:24–1 repealed 1944, c. 85, s. 52.

R. S. 38:24–2 " 1944, c. 85, s. 52.

Chapter 25A. (new) SOUVENIRS, INSIGNIA AND EMBLEMS.

Designation of State souvenir of deceased veterans of the World War; sales regulated, 1938, c. 207.

Sec. 3 of above amended 1943, c. 85.

Title 39. MOTOR VEHICLES AND TRAFFIC REGULATION.

Subtitle 1. MOTOR VEHICLE AND TRAFFIC LAWS.

Chapter 2. DEPARTMENT OF MOTOR VEHICLES.

Note: For time spent in war service by motor vehicle inspectors, to be counted in determining seniority, etc., see 1944, c. 86.

R. S. 39:2–2 amended 1944, c. 44.

Chapter 3. MOTOR VEHICLES.

R. S. 39:3–4 amended 1944, c. 5.

R. S. 39:3–33 " 1943, c. 173.

R. S. 39:3–34 " 1942, c. 313.

Additional Legislation.

Special licenses to certain minors to drive motor vehicles, in certain agricultural pursuits, provided for, suppl., 1942, c. 324.

Driving privileges, licensed drivers in war service, extended, certain cases, suppl., 1943, c. 98.

Sec. 1 of above amended 1944, c. 38.

Registry fee refund to persons in war service, certain cases, provided for, suppl., 1944, c. 228.

Use of "Press" sign, etc., on motor vehicles, restricted, suppl., 1943, c. 101.

Chapter 4. TRAFFIC REGULATION.

R. S. 39:4–98 amended 1942, c. 325.

Chapter 5. ENFORCEMENT AND PROCEDURE.

R. S. 39:5–3 amended 1942, c. 334, s. 1.

R. S. 39:5–9 " 1942, c. 334, s. 2.

R. S. 39:5–15 " 1942, c. 334, s. 3.

R. S. 39:5–17 " 1942, c. 334, s. 4.

R. S. 39:5–21 " 1942, c. 334, s. 5.

R. S. 39:5–29 " 1942, c. 334, s. 6.

R. S. 39:5–36 " 1942, c. 334, s. 7.

R. S. 39:5–40 " 1942, c. 334, s. 8.

R. S. 39:5–41 " 1942, c. 334, s. 9.

R. S. 39:5–42 " 1942, c. 334, s. 10.

R. S. 39:5–44 " 1942, c. 334, s. 11.

R. S. 39:5–45 " 1942, c. 334, s. 12

Title 40. MUNICIPALITIES AND COUNTIES.

Subtitle 1. COUNTIES AND MUNICIPALITIES, GENERALLY.

Chapter 1. BONDS AND OTHER OBLIGATIONS.

R. S. 40:1-63 amended 1943, c. 53, s. 1.

R. S. 40:1-71 " 1944, c. 235.

R. S. 40:1-81 " 1943, c. 53, s. 2.

R. S. 40:1-90 " 1943, c. 199.

Additional Legislation.

Purchase and retirement of bonds by counties and municipalities authorized, 1940, c. 240.

Title of above amended 1944, c. 137, s. 1.

Sec. 1 " " " 1944, c. 137, s. 2.

Chapter 2. COUNTY AND MUNICIPAL BUDGETS.

R. S. 40:2-17 amended 1942, c. 317.

R. S. 40:2-30 " 1943, c. 130.

Additional Legislation.

Budgets in certain municipalities on Atlantic Ocean, reserve for uncollected taxes, waived, certain cases, 1943, c. 184.

Sec. 1 of above amended 1943, c. 210, s. 1.

Sec. 5 " " repealed 1943, c. 210, s. 2.

Chapter 3. SINKING FUNDS AND SINKING FUND COMMISSIONERS, IN COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

R. S. 40:3-10 amended 1943, c. 48.

Chapter 5. PUBLIC MONEYS AND FINANCIAL STATEMENTS.

R. S. 40:5-13 amended 1944, c. 56.

Subtitle 2. COUNTIES.

Part 1. COUNTIES, GENERALLY.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98.

Chapter 20. BOARDS OF CHOSEN FREEHOLDERS.

Note: For establishment and administration of ration banks, accounts, etc., see 1943, c. 142.

R. S. 40:20–24 amended 1942, c. 299.

R. S. 40:20–72 " 1944, c. 63.

Chapter 21. OFFICERS AND EMPLOYEES.

Note: For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102.

R. S. 40:21–57 amended 1944, c. 61.

Additional Legislation.

County auditor, appointment regulated, suppl., 1944, c. 125.

Chief medical examiners, coroners, morgue keepers, second-class counties, appointment, powers, duties, etc., regulated, 1944, c. 182.

Chapter 23. GENERAL POWERS.

Additional Legislation.

Leasing of unused road machinery or equipment, in certain cases, authorized, suppl., 1942, c. 320.

Acceptance of gifts, etc., for specific purposes, provided for, 1943, c. 138.

Chapter 24. ORDINANCES AND RESOLUTIONS.

Additional Legislation.

Vote required for adoption of resolutions in absence of member of governing body in active military or naval service of the United States or of this State, 1942, c. 301.

Chapter 37. COUNTY PARKS.

Article 1A. (new) County Park Commissions in General

Additional Legislation.

Leasing, etc., of real estate to United States Government, etc., terms, etc., provided for, 1943, c. 20.

Article 5. County Parks Established By Referendum

Additional Legislation.

Policemen in war service, appointment, etc., substitutes for, provided for, suppl., 1943, c. 55.

Part 2. ELECTIVE COUNTY OFFICERS.

Chapter 38. COUNTY CLERKS.

R. S. 40:38–1 amended 1943, c. 21.

R. S. 40:38–5 " 1944, c. 68.

Additional Legislation.

Employees of County Clerk assigned for service in county courts, salaries fixed, certain second-class counties, suppl., 1944, c. 252.

Chapter 39. REGISTERS OF DEEDS AND MORTGAGES

R. S. 40:39–2 amended 1943, c. 92.

Chapter 41. SHERIFFS AND CONSTABLES.

R. S. 40:41–2 amended 1943, c. 22, s. 1.

R. S. 40:41–3 " 1943, c. 22, s. 2.

R. S. 40:41–6 " 1944, c. 69.

R. S. 40:41–35 " 1943, c. 68.

Additional Legislation.

Sheriff's offices, employees of identification bureau, salaries fixed, certain counties, 1943, c. 191.

Subtitle 3. MUNICIPALITIES GENERALLY.

Note: For tenure of employees, etc., of joint municipal commissions in war service, provided for, see 1944, c. 249.

Chapter 46. OFFICERS AND EMPLOYEES.

Note: For deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102.

R. S. 40:46–26 amended 1944, c. 99, s. 1.

Chapter 47. FIRE AND POLICE.

Note: For time spent in war service by policemen and firemen to be counted in determining seniority, etc., see 1944, c. 86.

Article 1. Fire and Police Departments.

Additional Legislation.

Filling vacancies, designation of vacancy filled, temporary appointment for members on military leave of absence, provided for, 1943, c. 163.

Annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, 1944, c. 254.

Article 3. Fire Departments Only.

D. EXEMPT FIREMEN CERTIFICATES.

R. S. 40:47–53 amended 1944, c. 246.

F. (new) JOINT FIRE SERVICE BY MUNICIPALITIES.

Additional Legislation.

Joint fire departments, adjoining municipalities, establishment and maintenance, provided for, 1943, c. 206.

Chapter 48. GENERAL POWERS.

Note: For establishment and administration of ration bank accounts, etc., see 1943, c. 142; for acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, see 1944, c. 206.

Additional Legislation.

Brush, trash, garbage, etc., removal, etc., provided for, suppl., 1943, c. 71.

Appropriation for expenses of rationing boards, etc., provided for, 1943, c. 183.

Chapter 50. CONTRACTS.

Additional Legislation.

Contracts with United States Government or agency, without public advertisement, certain cases, authorized, 1943, c. 198.

Chapter 52. LICENSES.

R. S. 40:52–1 amended 1944, c. 245.

Chapter 54. LIBRARIES AND READING ROOMS.

R. S. 40:54–8 amended 1944, c. 49.

R. S. 40:54–35 " 1943, c. 24.

Chapter 60. PUBLIC LANDS AND BUILDINGS.

R. S. 40:60–3 amended 1943, c. 39.

R. S. 40:60–26 " 1944, c. 160.

R. S. 40:60–32 " 1944, c. 199.

Additional Legislation.

Building covenants, conditions and limitations on lands sold by municipality, waiver provided for, suppl., 1943, c. 33.

Lands, etc., not needed for public use, exchange of, provided for, 1944, c. 77.

Acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, 1944, c. 206.

Chapter 67. STREETS, TUNNELS, BRIDGES AND VIADUCTS.

Additional Legislation.

Conduits under streets, etc., permission to United States Government to lay, provided for, 1943, c. 209.

Chapter 69. WATERS AND WATERCOURSES.

Additional Legislation.

Water and water power rights and property, acquisition, operation, disposal, etc., of, authorized, 1944, c. 207.

Subtitle 4. COMMISSION FORM OF GOVERNMENT.

Chapter 72. COMMISSIONERS.

Additional Legislation.

Commissioner as acting recorder, certain cases, provided for, suppl., 1944, c. 236.

Subtitle 5. MUNICIPALITIES GOVERNED BY MUNICIPAL COUNCIL AND MUNICIPAL MANAGER.

Chapter 83. OFFICERS AND EMPLOYEES.

Additional Legislation.

City engineer, tenure, certain cases, provided for, suppl., 1943, c. 190.

Chapter 84. ELECTIONS.

R. S. 40:84–5 amended 1942, c. 283.

Subtitle 6. BOROUGHS.

Chapter 87. OFFICERS.

R. S. 40:87–60 amended 1944, c. 99, s. 2.

Chapter 88. BOROUGH COUNCIL.

Additional Legislation.

Removal of snow, ice and other obstructions from roads and streets, not dedicated, provided for, suppl., 1944, c. 35.

Subtitle 8. CITY REFERENDUM CHARTER ACTS.

Chapter 108. CITIES WITH LESS THAN 12,000 INHABITANTS.

R. S. 40:108–1 1897, c. 30, s. 3 amended 1943, c. 70, s. 2.

R. S. 40:108–1 1897, c. 30, s. 7 " 1943, c. 70, s. 1.

Subtitle 11. TOWNSHIPS.

Chapter 145. OFFICERS.

R. S. 40:145–13 amended 1944, c. 155.

Chapter 146. TOWNSHIP COMMITTEE.

R. S. 40:146–15 amended 1943, c. 143.

R. S. 40:146–16 " 1943, c. 166, s. 1.

R. S. 40:146–17 to 40:146–19 repealed 1943, c. 166, s. 2.

Chapter 151. FIRE DISTRICTS.

R. S. 40:151–25 amended 1943, c. 81.

Chapter 155. STREET LIGHTING DISTRICTS.

R. S. 40:155–6 amended 1943, c. 83.

Subtitle 13. CITIES.

Chapter 171. OFFICERS.

Additional Legislation.

Mayor, powers of, certain cases, extended, 1944, c. 90.

Title 41. OATHS AND AFFIDAVITS.

Chapter 2. WHO MAY ADMINISTER OATHS OR TAKE AFFIDAVITS.

R. S. 41:2-4 amended 1944, c. 59, s. 1.
R. S. 41:2-5 " 1944, c. 59, s. 2.
R. S. 41:2-11 " 1944, c. 59, s. 3.
R. S. 41:2-15 " 1944, c. 59, s. 4.

Title 43. PENSIONS AND RETIREMENT AND UNEMPLOYMENT COMPENSATION.

Subtitle 1. GENERAL PROVISIONS.

Chapter 4. VETERANS.

R. S. 43:4-1 amended 1944, c. 211.
R. S. 43:4-2 " 1943, c. 87; 1944, c. 191.

Subtitle 2. STATE PENSIONS AND RETIREMENT.

Chapter 7. OFFICERS AND EMPLOYEES OF PENAL INSTITUTIONS.

Additional Legislation.

Officers and employees of State penal institutions; pensions and prison officers pension fund, 1941, c. 220.
Title of above amended 1943, c. 193, s. 1.
Sec. 2 " " " 1943, c. 193, s. 2.
Sec. 19 " " " 1943, c. 186.

Subtitle 3. COUNTY PENSIONS AND RETIREMENT.

Chapter 9. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 7. (new) County Clerk.

Additional Legislation.

Retirement on pension, certain cases, 1943, c. 194.

Chapter 10. PENSION FUNDS.

Article 1A. (new) Employees of Counties of Over 800,000 Inhabitants.

Additional Legislation.

Pension fund system established and regulated, 1943, c. 160
Sec. 7 of above amended 1944, c. 48.
Sec. 19 " " " 1944, c. 158.

Article 5. Probation Officers of Counties of Over 83,000 Inhabitants.

R. S. 43:10–57 amended 1944, c. 234.

Article 6. Sheriff's Employees in Counties of the First and Second Classes.

Additional Legislation.

Sheriff's employees pension funds, certain counties, membership extended, 1944, c. 229.

Subtitle 4. MUNICIPAL PENSIONS.

Chapter 12. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 11. (new) Township Employees.

Additional Legislation.

Collector of taxes, certain cases, 1944, c. 154.

Article 12. (new) Borough Employees.

Additional Legislation.

Superintendent of public works, certain cases, 1944, c. 223.

Chapter 13. PENSION FUNDS.

Article 4A. (new) Employees of Towns.

Additional Legislation.

Pension funds for employees of certain towns in first-class counties, established and regulated, suppl., 1943, c. 189.

Subtitle 5. STATE, COUNTY AND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Chapter 14. STATE SYSTEM.

R. S. 43:14–1 amended 1943, c. 119; 1944, c. 201, s. 1.

R. S. 43:14–17 " 1944, c. 201, s. 2.

R. S. 43:14–29 " 1942, c. 286; 1944, c. 201, s. 3.

R. S. 43:14–32 " 1944, c. 193.

Additional Legislation.

New members, heretofore or hereafter enrolled, payment of arrearages to obtain additional benefits, provided for, suppl., 1943, c. 116.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 118.

Chapter 15. COUNTY AND MUNICIPAL SYSTEM.

Additional Legislation.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 117.

Subtitle 6. PENSION FUND FOR POLICEMEN AND FIREMEN; TRAFFIC OFFICERS ON COUNTY ROADS.

Chapter 16. ESTABLISHMENT OF FUND BY REFERENDUM.

R. S. 43:16–1 amended 1944, c. 253, s. 1.

R. S. 43:16–2 " 1944, c. 253, s. 2.

R. S. 43:16–3 " 1944, c. 253, s. 3.

R. S. 43:16–4 " 1944, c. 253, s. 4.

R. S. 43:16–5 " 1943, c. 27; 1944, c. 253, s. 6.

R. S. 43:16–6 " 1944, c. 253, s. 7.

R. S. 43:16–7 " 1943, c. 77; 1944, c. 253, s. 8.

R. S. 43:16–11 repealed 1944, c. 253, s. 9.

Additional Legislation.

Definitions and additional provisions, suppl., 1944, c. 253, ss. 5, 10 to 14.

Chapter 16A. (new) POLICE AND FIREMEN'S RETIREMENT SYSTEM.

Municipal, county, etc., police and firemen's retirement system, established and regulated, 1944, c. 255.

Subtitle 9. SOCIAL SECURITY.

Chapter 21. UNEMPLOYMENT COMPENSATION.

R. S. 43:21–14 amended 1944, c. 80.

Additional Legislation.

Refunds of contributions, certain cases, provided for, suppl., 1944, c. 81.

Taking over of Employment Service Division of Commission by Federal agencies, authorized, suppl., 1941, c. 386.

Civil service and pension rights of employees transferred, saved, suppl., 1943, c. 171, and above supplemented.

Agreements, etc., with United States agencies, etc., for veterans placement, payment of veterans' benefits, etc., provided for, suppl., 1944, c. 232.

Title 44. POOR.

Chapter 4. SETTLEMENT AND RELIEF OF POOR; COUNTY REFERENDUM LAW.

R. S. 44:4–28 amended 1943, c. 112.

Chapter 6. FREE DENTAL CLINICS.

Additional Legislation.

Appropriations by counties for dental clinics for indigent children, provided for, suppl., 1944, c. 224.

Chapter 7. OLD AGE ASSISTANCE.

R. S. 44:7–1 amended 1943, c. 164, s. 1.

R. S. 44:7–3 " 1943, c. 164, s. 2.

R. S. 44:7–5 " 1943, c. 164, s. 3; 1944, c. 84, s. 1.

R. S. 44:7–12 " 1943, c. 164, s. 4; 1944, c. 84, s. 2.

R. S. 44:7–14 " 1943, c. 164, s. 5.

R. S. 44:7–18 " 1943, c. 164, s. 6; 1944, c. 84, s. 3.

R. S. 44:7–19 " 1943, c. 164, s. 7.

R. S. 44:7–21 " 1943, c. 164, s. 8.

R. S. 44:7–25 " 1943, c. 164, s. 9.

R. S. 44:7–30 " 1943, c. 164, s. 10.

R. S. 44:7–32 " 1943, c. 164, s. 11.

Chapter 8. FINANCIAL ASSISTANCE TO CERTAIN NEEDY PERSONS.

Additional Legislation.

State Municipal Aid Administration, 1940, c. 151.

Sec. 2 of above amended 1942, c. 340, s. 1.

Sec. 3 " " " 1942, c. 340, s. 2.

Administration of State aid for relief law (1941) 1941, c. 28.

Sec. 9 of above amended 1943, c. 11.

Sec. 12 " " " 1944, c. 162.

Physical rehabilitation of persons rejected for service in the armed forces of the United States by reason of physical disability, by State Municipal Aid Administration, provided for, 1942, c. 306.

Title 45. PROFESSIONS AND OCCUPATIONS.

Subtitle 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION.

Chapter 3. ARCHITECTS.

R. S. 45:3-8 amended 1943, c. 75, s. 1.

R. S. 45:3-9 " 1943, c. 75, s. 2.

R. S. 45:3-10 " 1943, c. 75, s. 3.

Chapter 4. BARBERS.

Additional Legislation.

Regulation of barbering, licensing of barbers and creation of State Board of Barber Examiners, etc., 1938, c. 197.

Sec. 20 of above amended 1944, c. 149.

Certificates of registration and permits to former holders, upon honorable discharge of applicants from military or naval service of the United States or of this State, provided for, suppl., 1942, c. 322.

Chapter 4A. BEAUTY CULTURE.

R. S. 45:4A-2 amended 1943, c. 9, s. 8.

R. S. 45:4A-8 " 1943, c. 9, s. 9.

R. S. 45:4A-10 " 1943, c. 9, s. 10.

R. S. 45:4A-11 " 1943, c. 9, s. 11.

R. S. 45:4A-14 " 1943, c. 9, s. 12.

R. S. 45:4A-15 " 1943, c. 9, s. 13; 1943, c. 122.

R. S. 45:4A-18 " 1943, c. 9, s. 14.

R. S. 45:4A-23 " 1943, c. 9, s. 15.

Additional Legislation.

Licenses to practice and practice of beauty culture, regulated, suppl., 1943, c. 9, ss. 1-7.

Chapter 5. CHIROPODY.

R. S. 45:5-7 amended 1943, c. 95, s. 1.

R. S. 45:5-8 " 1943, c. 95, s. 2.

R. S. 45:5-10 " 1943, c. 95, s. 3.

R. S. 45:5-11 " 1943, c. 95, s. 4.

Additional Legislation.

Injunction against unauthorized practitioners, provided for, suppl., 1943, c. 95, s. 5.

Chapter 8. ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS.

Additional Legislation.

Practice of professional engineering and land surveying, regulated (Revision, 1938), 1938, c. 342.

Licenses, renewal without fee, holder in war service, provided for, suppl., 1943, c. 90.

Chapter 9. MEDICINE AND SURGERY.

R. S. 45:9–8 amended 1942, c. 342; 1944, c. 166, s. 1.

R. S. 45:9–14 " 1943, c. 17.

R. S. 45:9–16 " 1944, c. 166, s. 2.

R. S. 45:9–21 " 1943, c. 74; 1944, c. 167.

Additional Legislation.

Payment of penalty equivalent to conviction, suppl., 1944, c. 166, s. 3.

Chapter 11. NURSES.

R. S. 45:11–7 amended 1942, c. 346, s. 1.

R. S. 45:11–10 " 1942, c. 346, s. 2.

R. S. 45:11–12 " 1942, c. 346, s. 3.

R. S. 45:11–19 " 1942, c. 346, s. 4.

Chapter 14. PHARMACY.

Additional Legislation.

Renewal of certificate of registration of holder in war service, provided for, suppl., 1944, c. 132.

Chapter 15. REAL ESTATE BROKERS, SALESMEN AND AUCTIONEERS.

Additional Legislation.

Licenses, issuance to officers of real estate corporations, certain cases, provided for, 1943, c. 60.

Subtitle 2. OCCUPATIONS SUBJECT TO OTHER REGULATION.

Chapter 24. TRANSIENT MERCHANTS OR ITINERANT VENDORS; HAWKERS AND PEDDLERS.

R. S. 45:24–9 amended 1943, c. 99.

Title 46. PROPERTY.

Subtitle 1A. (new) REAL AND PERSONAL PROPERTY.

Chapter 2A. (new) POWERS OF APPOINTMENT.

Releases of and covenants, etc., not to exercise powers, provided for, 1943, c. 57.

Chapter 2B. (new) POWERS OF ATTORNEY.

Powers of attorney by persons in military service, execution, recording, effect, etc., provided, 1943, c. 157.

Chapter 2C. (new) TRUST DEEDS.

Trust deeds by persons in military service, execution, recording, effect, etc., provided, 1943, c. 155.

Subtitle 2. REAL PROPERTY ONLY.

Chapter 3. ESTATES AND INTERESTS IN REAL PROPERTY AND ALIENATION THEREOF IN GENERAL.

R. S. 46:3-18 amended 1943, c. 145.

Subtitle 4. RECORDING, REGISTRATION, FILING AND INDEXING OF DEEDS AND OTHER INSTRUMENTS.

Chapter 16. INSTRUMENTS ENTITLED TO RECORD.

Additional Legislation.

Recording of nontestamentary trust instruments not acknowledged or proved, provided for, suppl., 1943, c. 147.

Chapter 19. MECHANICS OF RECORDATION.

R. S. 46:19-3 amended 1944, c. 36.

Title 48. PUBLIC UTILITIES.

Note: For permission to United States Government to lay conduits under streets, etc., when approved by Public Utility Commissioners, authorized, see 1943, c. 209.

Chapter 12. RAILROADS.

R. S. 48:12-158 amended 1943, c. 150.

R. S. 48:12-162 repealed 1943, c. 94.

Chapter 21. SOUTH JERSEY TRANSIT AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85.

R. S. 48:21-1 to 48:21-19 repealed 1944, c. 85, s. 52.

Title 50. SHELLFISH.

Chapter 3. REGULATIONS APPLICABLE TO DELAWARE RIVER, DELAWARE BAY AND THEIR TRIBUTARIES; DEPARTMENT OF MAURICE RIVER COVE.

Article 4. (new) Licensing of Oyster Shuckers and Dealers.

Additional Legislation.

Licensing of oyster shuckers, dealers and growers, provided for, 1943, c. 182.

Sec. 5 of above amended 1944, c. 142, s. 1.

Sec. 8 " " " 1944, c. 142, s. 2.

Chapter 4. REGULATIONS APPLICABLE TO ATLANTIC COAST; DEPARTMENT OF ATLANTIC COAST.

R. S. 50:4-1 amended 1943, c. 134.

Title 51. STANDARDS, WEIGHTS, MEASURES AND CONTAINERS.

Chapter 1. WEIGHTS, MEASURES AND CONTAINERS.

R. S. 51:1-82 amended 1943, c. 135.

Additional Legislation.

Age limits for weighmasters and weighers during war time, provided for, suppl., 1943, c. 8.

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Note: For annual State appropriation to municipalities employing full time policemen, firemen, etc., provided for, see 1944, c. 254.

Subtitle 1. GENERAL PROVISIONS.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98.

Chapter 7. NOTARIES PUBLIC.

Additional Legislation.

Appointments, fees for commissions and filing of statements required by R. S. 52:7-8, provided for, 1944, c. 243.

Chapter 9C. NEW JERSEY COUNCIL.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85.

R. S. 52:9C-1 repealed 1944, c. 85, s. 52.

R. S. 52:9C-2 amended 1943, c. 111; repealed 1944, c. 85, s. 52.

R. S. 52:9C-3 repealed 1944, c. 85, s. 52.

R. S. 52:9C-4 " 1944, c. 85, s. 52.

Chapter 9G. (new) STATE COMMISSION ON POST-WAR ECONOMIC WELFARE.

Commission created, powers and duties, provided for, 1943, c. 192.

Sec. 1 of above amended 1944, c. 94, s. 1.

Sec. 2 " " " 1944, c. 94, s. 2.

Sec. 3 " " " 1944, c. 94, s. 3.

Subtitle 2. LEGISLATURE.

Note: For requirement of submission of bills for appropriation, apportionment or payment of State funds to Emergency State Commission on State Fiscal Affairs, see 1943, c. 2.

Subtitle 3. EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS, OFFICERS AND EMPLOYEES.

Chapter 14. GENERAL PROVISIONS.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98.

Article 1. Co-operation between Departments.

Additional Legislation.

Interdepartmental transfer of employees, provided for, 1943, c. 216.

Article 3. Salaries, etc., of Officers and Employees in general.

Additional Legislation.

Deductions from salaries, etc., of employees, provided for, 1943, c. 69; 1943, c. 102.

Salary increases and bonuses, provided for, 1943, c. 124; 1944, c. 119.

Rate of mileage for use of private car by State officer or employee, fixed, 1943, c. 188.

Article 6. Investment of Moneys.

R. S. 52:14–33 amended 1944, c. 13.

Article 8A. (new) Rationing Provisions.

Additional Legislation.

Ration bank accounts, etc., authority to establish and administer, provided for, 1943, c. 142.

Article 9. (new) Post-War Reserve Account.

Additional Legislation.

"Post-war reserve account" in general State fund, creation, etc., provided for, 1944, c. 218.

Chapter 17. ATTORNEY GENERAL.

Note: For 1939, c. 101, repealed, see 1944, c. 20, s. 20.

R. S. 52:17–1 to 52:17–11 repealed 1944, c. 20, s. 20.

Chapter 17A. (new) DEPARTMENT OF LAW.

Department of Law, established, powers, etc., 1944, c. 20, ss. 1-19.

Chapter 18. STATE TREASURER.

R. S. 52:18–18 amended 1944, c. 79.

R. S. 52:18–22 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:18–23 " 1944, c. 112, art. 8, s. 10.

Additional Legislation.

Deposit of United States Bonds by the Treasurer in Federal Reserve Bank without the State, in certain cases, authorized, 1942, c. 348.

Investment of certain moneys in United States securities, authorized, 1944, c. 148.

Chapter 19. STATE COMPTROLLER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 1. In General.

R. S. 52:19–16 to 52:19–28 repealed 1944, c. 112, art. 8, s. 10.

Article 2. Division of Accounting.

R. S. 52:19–29 to 52:19–36 repealed 1944, c. 112, art. 8, s. 10.

Article 3. (new) Auditing and Preauditing Force.

Additional Legislation.

State central payroll system, installation, etc., authorized, 1942, c. 291.

Chapter 20. STATE HOUSE COMMISSION.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 1. Organization and Personnel.

R. S. 52:20–3 repealed 1944, c. 112, art. 8, s. 10.

Article 2. Powers and Duties of Commission.

R. S. 52:20–8 to 52:20–12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:20–16 " 1944, c. 112, art. 8, s. 10.

Chapter 20A. (new) EMERGENCY STATE COMMISSION ON STATE FISCAL AFFAIRS.

Commission established, powers, duties, etc., 1943, c. 2.

Chapter 21. STATE PLANNING BOARD.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85.

R. S. 52:21–1 to 52:21–11 repealed 1944, c. 85, s. 52.

Chapter 22. STATE BUDGET AND STATE BUDGET COMMISSIONER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 52:22–1 to 52:22–22 repealed 1944, c. 112, art. 8, s. 10.

Chapter 23. COMMISSIONER OF FINANCE.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 52:23–1 to 52:23–16 repealed 1944, c. 112, art. 8, s. 10.

Chapter 25. STATE PURCHASING DEPARTMENT.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 2. Organization and Personnel.

R. S. 52:25–7 to 52:25–10 repealed 1944, c. 112, art. 8, s. 10.

Article 3. General Powers and Duties of Commissioner.

R. S. 52:25–15 repealed 1944, c. 112, art. 8, s. 10.

Article 4. Standards and Specifications.

R. S. 52:25–17 to 52:25–21 repealed 1944, c. 112, art. 8, s. 10.

Article 5. Requisitions and Purchases.

R. S. 52:25–22 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:25–24 " 1944, c. 112, art. 8, s. 10

Chapter 27A. (new) STATE DEPARTMENT OF LOCAL GOVERNMENT.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

Article 1. (new) In General.

Local Government Act (1938), 1938, c. 158.

Sec. 8 of above repealed 1944, c. 112, art. 8, s. 10.

Sec. 12 " " " 1944, c. 112, art. 8, s. 10.

Chapter 27B. (new) STATE DEPARTMENT OF TAXATION AND FINANCE.

State Department of Taxation and Finance, establishment, organization and functions, provided for, 1944, c. 112.

Chapter 27C. (new) DEPARTMENT OF ECONOMIC DEVELOPMENT.

Department of Economic Development, establishment, functions, powers and duties, provided for, 1944, c. 85.

Chapter 30. CESSIONS TO THE UNITED STATES.

R. S. 52:30–3 repealed 1944, c. 54.

Chapter 31. STATE PROPERTY IN GENERAL.

Note: For powers of State Department of Taxation and Finance over State property, see 1944, c. 112.

R. S. 52:31–1 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:31–7 " 1944, c. 112, art. 8, s. 10.

R. S. 52:31–9 to 52:31–11 " 1944, c. 112, art. 8, s. 10.

Title 54. TAXATION.

Subtitle 1. DEPARTMENT AND BOARDS FOR THE REVIEW, ASSESSMENT AND COLLECTION OF TAXES.

Chapter 1. STATE TAX DEPARTMENT AND COMMISSIONER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 54:1–3 to 54:1–5 repealed 1944, c. 112, art. 8, s. 10.

Chapter 2. STATE BOARD OF TAX APPEALS.

Note: For transfer of State Board of Tax Appeals to State Department of Taxation and Finance, see 1944, c. 112.

R. S. 54:2–39 amended 1944, c. 240.

Chapter 3. COUNTY BOARDS OF TAXATION.

R. S. 54:3–7 amended 1944, c. 189, s. 1.

R. S. 54:3–9 " 1944, c. 189, s. 2.

R. S. 54:3–10 " 1944, c. 189, s. 3.

Additional Legislation.

Fee for filing petition of appeal, certain cases; first class counties, 1940, c. 71.

Sec. 1 of above amended 1943, c. 61.

Subtitle 2. TAXATION OF REAL AND PERSONAL PROPERTY IN GENERAL.

Chapter 4. ASSESSMENT AND COLLECTION OF TAXES.

Article 1. Persons and Property Subject to Taxation.

R. S. 54:4–1 amended 1942, c. 281, s. 1; 1943, c. 120, s. 1.

R. S. 54:4–2.1 " 1944, c. 151.

Article 2. Persons and Property Exempt from Taxation.

Note: For acquisition, use and disposition, by municipalities, of property to extinguish exemption from local taxation, provided for, see 1944, c. 206.

R. S. 54:4-3.3 amended 1944, c. 24, s. 1.

R. S. 54:4-3.5 " 1944, c. 24, s. 2.

Additional Legislation.

Exemption under R. S. 54:4-3.12 extended to residents serving in armed forces during present war, 1942, c. 70.

Sec. 2 of above amended 1944, c. 71.

Exemption of growing crops, nursery stock, etc., provided for, suppl., 1943, c. 63.

Article 4. Assessment of Personal Property.

R. S. 54:4-9 amended 1942, c. 281, s. 2; 1943, c. 120, s. 2.

Article 5. Assessment of Real Estate.

R. S. 54:4-23 amended 1942, c. 281, s. 3; 1943, c. 120, s. 3.

Article 6. Completion and Review of Assessments.

R. S. 54:4-35 amended 1942, c. 281, s. 4; 1943, c. 120, s. 4.

R. S. 54:4-36 " 1942, c. 281, s. 5; 1943, c. 120, s. 5.

R. S. 54:4-41 " 1942, c. 316, s. 1.

R. S. 54:4-42 " 1942, c. 316, s. 2.

R. S. 54:4-52 " 1942, c. 316, s. 3.

Article 7. Collection, Abatement and Compromise.

R. S. 54:4-75 amended 1944, c. 46.

R. S. 54:4-78 " 1944, c. 134.

R. S. 54:4-91 " 1944, c. 115, ss. 1-3.

R. S. 54:4-92 to 54:4-94 repealed 1943, c. 185.

Additional Legislation.

Uncollectible taxes, filing of lists, and cancellation of, provided for, suppl., 1944, c. 115, ss. 2-4.

Chapter 5. CREATION, ENFORCEMENT AND COLLECTION OF LIENS FOR UNPAID TAXES AND OTHER MUNICIPAL LIENS ON REAL PROPERTY.

R. S. 54:5–6 amended 1944, c. 247.

R. S. 54:5–13 " 1944, c. 97.

R. S. 54:5–19 " 1944, c. 108.

Additional Legislation.

Municipal purchaser at tax sale entitled to possession, etc., suppl., 1942, c. 54.

Sec. 1 of above amended 1943, c. 144.

Tax lien foreclosures of vacant lands, joinder of actions or causes of action by municipalities, authorized, suppl., 1940, c. 84.

Sec. 1 of above amended 1943, c. 204.

Tax sale certificates, sale by municipalities, certain cases, provided for, 1943, c. 149.

Chapter 6. MARTIN ACT AND SIMILAR STATUTES.

R. S. 54:6–5 1898, c. 193, s. 12 amended 1944, c. 204.

Subtitle 4. PARTICULAR TAXES ON CORPORATIONS AND OTHERS.

Chapter 29A. (new) TAXATION OF RAILROADS.

Railroad tax law (1941), 1941, c. 291.

Sec. 17 of above amended 1942, c. 337, s. 1.

Sec. 18 " " " 1942, c. 337, s. 2.

Sec. 19 " " " 1942, c. 337, s. 3.

Sec. 20 " " " 1942, c. 337, s. 4.

Sec. 21 " " " 1942, c. 337, s. 5.

Sec. 31 " " " 1942, c. 337, s. 6.

Sec. 33 " " " 1942, c. 337, s. 7.

Sec. 34 " " " 1942, c. 337, s. 8.

Sec. 44 " " " 1942, c. 337, s. 9.

Subtitle 5. TRANSFER INHERITANCE AND ESTATE TAXES.

Part 1. TRANSFER INHERITANCE TAX.

Chapter 35. COLLECTION AND ENFORCEMENT OF TAX; REFUNDS.

R. S. 54:35–10 amended 1944, c. 74.

Additional Legislation.

Issuance of consent to transfer assets of resident decedent prohibited, unless will probated or administration had originally in New Jersey, suppl., 1939, c. 122.

Sec. 1 of above amended 1943, c. 38.

Chapter 36. ASSESSMENT, COLLECTION AND ENFORCEMENT OF TAXES ON ESTATES SUBJECT TO FUTURE INTERESTS.

R. S. 54:36–6 amended 1943, c. 165.

Part 2. ESTATE TAX.

Chapter 38. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:38–3 amended 1944, c. 75.

Part 3. (new) INHERITANCE AND ESTATE TAXES.

Chapter 38A. (new) COMPROMISES.

Inheritance and estate taxes, compromises of, authorized, 1944, c. 220.

Subtitle 9. STATE TAX UNIFORM PROCEDURE LAW.

Chapter 49. PROCEDURE.

Additional Legislation.

Judgments for corporation taxes, satisfaction on payment, etc., provided for, 1943, c. 10.

Chapter 50. ADMINISTRATION.

R. S. 54:50–9 amended 1943, c. 110.

Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.

Subtitle 1. TENEMENT HOUSES.

Chapter 2. CONVERTED BUILDINGS; ALTERATIONS; TENEMENTS UNDER CONSTRUCTION; TIME FOR COMPLIANCE.

R. S. 55:2–6 amended 1943, c. 67, s. 1.

Chapter 3. PROTECTION FROM FIRE.

R. S. 55:3–24 amended 1943, c. 67, s. 2.

R. S. 55:3–26 " 1943, c. 67, s. 3.

Chapter 4. HEIGHT OF TENEMENTS; LOTS, YARDS, SPACES AND COURTS.

R. S. 55:4–10 amended 1943, c. 67, s. 4.

R. S. 55:4–24 " 1943, c. 67, s. 5.

Chapter 5. WINDOWS; ROOMS; LIGHT; VENTILATORS AND VENT SHAFTS.

R. S. 55:5–4 amended 1943, c. 67, s. 6.

R. S. 55:5–13 " 1943, c. 67, s. 7.

Chapter 6. CLEANLINESS AND SANITARY CONDITIONS GENERALLY.

R. S. 55:6–15 amended 1943, c. 67, s. 8.

Chapter 8. WATER-CLOSETS, SINKS, SEWERS, WATER SUPPLY, PLUMBING, AND DRAINAGE.

R. S. 55:8–22 amended 1943, c. 67, s. 9.

Chapter 10. FUNCTIONS AND OPERATIONS OF BOARD IN GENERAL.

R. S. 55:10–10 amended 1943, c. 67, s. 10.

Subtitle 2. PUBLIC HOUSING.

Chapter 14. STATE HOUSING AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85.

R. S. 55:14–1 to 55:14–13 repealed 1944, c. 85, s. 52.

Chapter 14A. (added) LOCAL HOUSING AUTHORITIES LAW.

Civil service protection for certain employees, provided for, suppl., 1943, c. 64.

Chapter 14C. (new) NATIONAL DEFENSE HOUSING PROJECTS.

Housing projects in connection with national defense activities, provided for, 1941, c. 213.

Title of above amended 1944, c. 19, s. 1.

Sec. 2 " " " 1944, c. 19, s. 2.

Sec. 8 " " " 1944, c. 19, s. 3.

Chapter 14D. (new) REDEVELOPMENT COMPANIES LAW.

Redevelopment companies, incorporation, powers and duties, provided for, 1944, c. 169.

Title 58. WATERS AND WATER SUPPLY.

Note: For acquisition, operation, disposal, etc., of water and water power rights and property, authorized, see 1944, c. 207.

Chapter 11. WATER AND SEWERAGE PLANTS AND SYSTEMS IN GENERAL.

Additional Legislation.

Permits for physical connections between approved potable water supplies and unapproved water supplies, required and provided for, 1942, c. 308.

Chapter 14. PASSAIC VALLEY SEWERAGE DISTRICT.

Additional Legislation.

Leases for use of intercepting sewers, regulated and provided for, suppl., 1943, c. 76.

The above supplemented, 1944, c. 214.

Chapter 18. (new) DELAWARE RIVER BASIN.

Reciprocal act for use, conservation, protection and equitable diversion of water resources in Delaware River Basin between Pennsylvania, New York and New Jersey, 1944, c. 121.

APPENDIX A

Chapter 4. TAXES, ASSESSMENTS AND PUBLIC REVENUES.

Additional Legislation.

Purchase of Federal current income bonds by counties and municipalities, in certain cases, authorized, 1941, c. 297.

Title of above amended 1942, c. 304, s. 1; 1943, c. 208, s. 1.

Sec. 1 " " " 1942, c. 304, s. 2; 1943, c. 208, s. 2.

Sec. 2 " " " 1942, c. 304, s. 3; 1943, c. 208, s. 3.

Sec. 3 " " " 1942, c. 304, s. 4; 1943, c. 208, s. 4; 1944, c. 250, s. 1.

Funding or refunding of notes or bonds of school districts, 1940, c. 29.

Sec. 1 of above amended 1943, c. 19.

SCHEDULE 1

TABLE OF ALLOCATION OF 1942 STATUTES

(Chapters 281 to end)

Pamphlet Laws 1942		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
281		54	4
282		17	4
283		40	84
284		24	10
285		*	
286		43	14
287		3	16
288		*	
289		*	
290		*	
291		52	19
292		*	
293		Val.	
294		23	5
295		*	
296		*	
297		2	29
298		2	122A (new)
299		40	20
300		*	
301		40	24
302		*	
303		*	
304		App. A	4
305		2	202
306		44	8
307		34	6
308		58	11
309		26	2
310		*	
311		Val.	
312		*	
313		39	3
314	1-2	2	205
	3-6	2	206
315		2	202
316		54	4
317		40	2
318		*	
319		18	7
320		40	23
321		Val.	
322		45	4
323		18	20
324		39	3
325		39	4
326		38	23
327		38	23
328		30	9
329		9	2
330		*	
331		*	
332		*	
333		2	32
334		39	5
335		3	2
336		17	4
337		54	29A (new)
338		Val.	
339		*	
340	1-2	44	8
	3	Val.	
341		17	4
342		45	9
343		*	
344		38	1
345		*	
346		45	11
347		*	
348		52	18
349		12	8
350		Val.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

SCHEDULE 2

TABLE OF ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		52	20A(new)
3		Val.	
4		*	
5		*	
6		*	
7		*	
8		51	1
9		45	4A
10		54	49
11		44	8
12		2	16
13		17	34
14		17	26
15		17	34
16		17	34
17		45	9
18		*	
19		App. A	4
20		40	37
21		40	38
22		40	41
23		2	7
24		40	54
25		Val.	
26		*	
27		43	16
28		27	6
29		Val.	
30		Val.	
31		*	
32		2	26
33		40	60
34		*	
35		*	
36		8	2
37		33	1
38		54	35
39		40	60
40		2	192
41		2	190
42		2	195
43		2	195
44		34	2
45		27	13
46		33	1
47		33	1
48		40	3
49		9	17
50		Val.	
51		Val.	
52		*	
53		40	1
54		*	
55		40	37
56		30	9
57		46	2A(new)
58		30	9
59		2	212
60		45	15
61		54	3
62		*	
63		54	4
64		55	14A(added)
65		2	32
66		2	32
67	1	55	2
	2-3	55	3
	4-5	55	4
	6-7	55	5
	8	55	6
	9	55	8
	10	55	10
68		40	41
69		52	14
70		40	108

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
71		40	48
72		34	15
73		2	32
74		45	9
75		45	3
76		58	14
77		43	16
78		34	2
79		2	47
80		19	52
81		40	151
82		3	26
83		40	155
84		3	26
85		38	25A (new)
86		2	213
87		43	4
88		3	17
89		30	5
90		45	8
91		18	14
92		40	39
93		23	9
94		48	12
95		45	5
96		*	
97		9	18
98		39	3
99		45	24
100		4	12
101		39	3
102		52	14
103		*	
104		9	3
105		35	1
106		4	16
107		*	
108		*	
109		*	
110		54	50
111		52	9C
112		44	4
113		2	85
114		2	27
115		26	3
116		43	14
117		43	15
118		43	14
119		43	14
120		54	4
121		*	
122		45	4A
123		*	
124		52	14
125		*	
126		*	
127		*	
128		*	
129		30	6A
130		40	2
131		23	9
132		*	
133		*	
134		50	4
135		51	1
136		2	202
137		4	16
138		40	23
139		*	
140		*	
141		*	
142		52	14
143		40	146
144		54	5
145		46	3
146		34	2
147		46	16
148	1-11	17	34
	12	17	33
149		54	5
150		48	12
151		*	
152		33	1
153		33	1
154		33	1
155		46	2C (new)
156		38	23A (new)
157		46	2B (new)
158		Val.	
159		17	28
160		43	10
161		Val.	
162		*	
163		40	47
164		44	7
165		54	36
166		40	146
167		Val.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
168		Val.	
169		Val.	
170		14	12
171		43	21
172		18	15
173		39	3
174		17	18
175		14	8
176		14	8
177		18	10
178		2	26
179		18	13
180		18	13
181		18	10
182		50	3
183		40	48
184		40	2
185		54	4
186		43	7
187		18	5
188		52	14
189		43	13
190		40	83
191		40	41
192		52	9G(new)
193		43	7
194		43	9
195		34	2
196		*	
197		*	
198		40	50
199		40	1
200		11	24A(new)
201	1-2	18	6
	3-7	18	7
202		22	2
203		2	32
204		54	5
205		2	202
206		40	47
207		23	4
208		App. A	4
209		40	67
210		40	2
211		*	
212		18	14
213		*	
214		4	1
215		2	27
216		52	14
217		*	
218		19	31
219		19	31A(new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

SCHEDULE 3

TABLE OF ALLOCATION OF 1944 STATUTES IN CUMULATIVE TABLE OF CONTENTS

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		Val.	
2		Val.	
3		18	7
4		*	
5		39	3
6		*	
7		19	48
8	1	19	24
	2	19	25
	3	19	23
9		19	55 (new)
10		2	192
11		2	202
12		2	171A(new)
13		52	14
14		2	202
15		*	
16		19	14
17		*	
18		*	
19		55	14C(new)
20	1-19	52	17A(new)
	20	52	17
	20	27	1
	20	11	4
21		3	2
22		17	6
23		2	212
24		54	4
25	1	17	8
	2	Val.	
26		24	18
27	1-26, 28	17	29A(new)
	27	17	29
28		2	212
29		*	
30		17	4
31		2	220
32		2	182
33		*	
34		*	
35		40	88
36		46	19
37		27	6
38		39	3
39		2	212
40		*	
41		*	
42		*	
43		4	9
44		39	2
45		19	32
46		54	4
47		27	6
48		43	10
49		40	54
50		Val.	
51		*	
52		30	4
53		2	202
54		52	30
55		18	5
56		40	5
57		*	
58		*	
59		41	2
60		Val.	
61		40	21
62		*	
63		40	20
64		11	22
65	1-4	11	1
	5-9	11	2
	10	11	5
	11	11	7
66		2	182

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
67		2	7
68		40	38
69		40	41
70		26	2
71		54	4
72		17	38
73		17	34
74		54	35
75		54	38
76		2	60
77		40	60
78		23	4
79		52	18
80		43	21
81		43	21
82		17	12
83		35	2
84		44	7
85	1-51	52	27C (new)
	52	12	12
	52	38	24
	52	48	21
	52	52	9C
	52	52	21
	52	55	14
86		38	16
87		38	23
88		34	15
89		Val.	
90		40	171
91		Val.	
92		*	
93		*	
94		52	9G (new)
95		19	55
96		2	87
97		54	5
98		38	23A (new)
99	1	40	46
	2	40	87

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
100		17	38
101		17	35
102		17	48A (new)
103		*	
104		17	6
105		1	9
106		18	14
107		18	14
108		54	5
109		3	2
110		27	15
111		23	9
112	1 (art. 1)	52	27B (new)
	1-8 (art. 2)		
	1-38 (art. 3)		
	1-4 (art. 4)		
	1 (art. 5)		
	1-16 (art. 6)		
	1-6 (art. 7)		
	1-9 (art. 8)		
	10 (art. 8)	52	18
	10 (art. 8)	52	19
	10 (art. 8)	52	20
	10 (art. 8)	52	22
	10 (art. 8)	52	23
	10 (art. 8)	52	25
	10 (art. 8)	52	31
	10 (art. 8)	54	1
	10 (art. 8)	52	27A (new)
113		18	13
114		3	16
115		54	4
116		36	1
117		Val.	
118		*	
119		*	
120		*	
121		58	18 (new)
122		*	
123		*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
124		*	
125		40	21
126		38	23B(new)
127		19	49
128		19	50
129		3	7
130		3	25
131		2	58
132		45	14
133		2	202
134		54	4
135		Val.	
136		2	8
137		40	1
138		*	
139		16	12
140		18	16
141		19	2
142		50	3
143		16	1
144		*	
145		*	
146		18	13
147		17	6
148		52	18
149		45	4
150		*	
151		54	4
152		19	45
153	1	17	28
	2	17	32
154		43	12
155		40	145
156		35	2
157		19	13
158		43	10
159		27	1
160		40	60
161		Val.	
162		44	8
163		23	4
164		2	32
165		2	8
166		45	9
167		45	9
168		18	3
169		55	14D(new)
170		*	
171		17	36
172		13	13
173		2	3
174		2	26
175		17	22
176	1	17	4
	2	Val.	
177		18	4
178		19	45
179		*	
180		18	13
181		3	8
182		40	21
183		2	32
184		2	32
185		18	13
186		2	32
187		33	1
188		22	2
189		54	3
190		2	199
191		42	4
192		*	
193		43	14
194		30	5
195		2	121
196		9	6
197		38	20

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
198		2	184
199		40	60
200		*	
201		43	14
202		4	1
203		34	8
204		54	6
205		*	
206		40	60
207		40	69
208		19	55
209		17	16
210		18	14
211		43	4
212		18	14
213		19	52
214		58	14
215	1	14	2
	2	14	11
216		33	1
217		18	2
218		52	14
219		*	
220		54	38A (new)
221		17	34
222		*	
223		43	12
224		44	6
225		*	
226	1-3	18	4A (new)
	4	18	5
227		5	5
228		39	3
229		43	10
230	1-4	19	31A (new)
	4	19	15
231		19	23
232		43	21
233		*	
234		43	10
235		40	1
236		40	72
237		15	15
238		3	7
239		9	3
240		54	2
241		30	6
242		3	42A (new)
243		52	7
244		Val.	
245		40	52
246		40	47
247		54	5
248		*	
249		38	16
250		App. A	4
251		19	31
252		40	38
253		43	16
254		40	47
255		43	16A (new)

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.

SCHEDULE 4

TABLE OF NUMBERED SECTIONS ADDED TO REVISED STATUTES (1937)

(1942, C. 281 to end—1943-1944)

Title 15.

Section Added	Act By Which Added
15:15–2	1944, c. 237

SCHEDULE 5

TABLE OF PUBLIC VALIDATING ACTS.

(1942, C. 281 to end—1943-1944)

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Judicial sales ..... 1944, c. 91

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

Adoptions validated ..... 1943, c. 50

Bastardy proceedings ..... 1943, c. 51

Title 14. CORPORATIONS, GENERAL.

Leases ..... 1944, c. 1

Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Banks, trust companies and savings banks, amendments, etc., to charters, etc. ..... 1944, c. 25, s. 2

Title 40. MUNICIPALITIES AND COUNTIES.

Appropriations and expenditures ..... 1942, c. 350

Municipal budgets ..... 1944, c. 60

Municipal ordinances ..... 1942, c. 311

Municipal purchases, sales and exchanges of lands ..... 1942, c. 293
1944, c. 89
1944, c. 161

Vacation of streets, etc. ..... 1943, c. 161

Title 44. POOR.

State Municipal Aid Administration ..... 1942, c. 340, s. 3

Title 46. PROPERTY.

Conveyances, mortgages and assignments, discharges, releases and postponements thereof, corporate and individual, real and personal property	1943, c. 3 1943, c. 25 1943, c. 29 1943, c. 30 1943, c. 158 1943, c. 167 1943, c. 168 1944, c. 2 1944, c. 50 1944, c. 117 1944, c. 135 1944, c. 176, s. 2 1944, c. 244

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Acknowledgments, proofs, affidavits, etc., taken by Masters in Chancery, attorneys-at-law, Commissioners of Deeds or notaries public	1942, c. 321

Title 54. TAXATION.

Fees on filing petition of appeals	1943, c. 62
Foreclosure, tax, etc., lien certificates	1942, c. 338

Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.

Local housing authorities	1943, c. 169

INDEX

INDEX

A

PAGE

Advertising—official advertising in certain cases, ... 163
rates for official advertising, ... 587
Agriculture—members by State board, ... 722
Alcohol beverages—license for new license term, ... 695
commissioner to organize department, ... 755
Appeals—from judgments rendered by justice of peace, ... 362
to State board of education, ... 612
Appropriations—State house commission for voting machines, ... 20
no moneys drawn except for objects specifically appropriated, ... 43
joint legislative commission, ... 90
department of labor, ... 91
legislature, ... 96
State treasurer, ... 96
adjutant-general, ... 97
post-war economic welfare, ... 122
economic development, ... 182
commerce and navigation, ...242, 320
war adjustment, ... 321
State highway fund, ... 342
commission on interstate cooperation, ... 370
from State highway fund, ... 388
board of conservation and development, ... 409
annual, ... 419
Delaware and Raritan canal, ... 657
board of conservation and development, ... 680
State board of control, ... 700
clerk supreme court, ... 759
Passaic Valley water commission, ... 762
Jersey City State teachers college, ... 764
board of commerce and navigation, ... 812
municipalities for retirement of policemen and firemen, .. 833

B

Banking and insurance—commission or board may subscribe for stock, .. 38
may sell or transfer stock, ... 38
Banks and trust companies—may issue one or more classes of stocks, .. 65
certificate approved by commissioner, ... 65
maintain a branch office or agency, ... 87
investment of deposits, ... 269
securities held in fiduciary capacity, ... 316
surviving directors of dissolved, ... 676
cancellation of fiduciary bond, ... 682
foreign, must be authorized, ... 745

PAGE

Barbers—board of examiners, ... 417
Beaches—appropriation for beach erosion, ... 242
Blind—assistance to, ... 800
Bonus—payment to certain employees, ... 17
war adjustment, ... 321
Boroughs—payment of bonus to certain employees, ... 17
may at expense of borough remove snow, ... 92
filing financial statement, ... 112
validating municipal budget, ... 120
firemen and policemen entering military service, ... 183
validating sale of lands at public auction, ... 192
maximum age limit for appointment, ... 253
salary mayor and governing body, ... 254
retirement of bonds, ... 368
sale of lands, ... 593
administration of relief, ... 597
redevelopment companies law, ... 613
vacation of public rights in land, ... 716
collection of unpaid taxes, ... 726
may acquire tax exempt property, ... 728
may acquire real estate having riparian rights, ... 734
retirement superintendent of public works, ... 762
issuance of bonds, ... 792
may regulate vehicles for transportation, ... 807
exempt fireman certificate, ... 811
purchase of war bonds, ... 814
retirement of policemen and firemen, ... 819
police and firemen's retirement system, ... 836
Building and Loan—contingency reserve account, ... 161

C

Children—care of neglected, ... 704
desertion and non-support, ... 710
abuse or neglectful to, ... 711
education, war orphans, ... 713
insurance on lives, ... 761
adoption of, ... 796
Chosen freeholders—payment of bonus to employees, ... 17
right to pay bonus, ... 19
appropriation for voting machines included in budget, 21
vacancy in board of, ... 121
salaries of, ... 122
appropriate money for dental clinic, ... 763
Churches—common trust fund, Protestant Episcopal church, ... 371
consolidation of, ... 379
Cities—filing financial statements, ... 112
validating municipal budget, ... 120
firemen and policemen entering military service, ... 183
validating sale of lands at public auction, ... 192
governing body unable to elect, ... 193
vacation of public right in lands, ... 716
may acquire tax exempt property, ... 728
may acquire real estate having riparian rights, ... 734
issuance of bonds, ... 792
vacancy in office of recorder, ... 794

PAGE

Cities—may regulate vehicles for transportation, ... 807
exempt fireman certificate, ... 811
purchase of war bonds, ... 814
retirement of policemen and firemen, ... 819
police and firemen's retirement system, ... 836
Civil service—may discontinue holding examinations, ... 124
commission of five members, ... 126
vacancy filled by governor, ... 126
chief examiner and secretary, ... 127
central office, ... 127
branch offices, ... 127
adopt classification plan, ... 128
adjustment of compensation, ... 130
Commerce and navigation—to convey land to federal government, ... 789
Commission—State personnel, ... 14
law revision and bill drafting, ... 274
Constitution—submission to the people, ... 195
Corporations—validating leases by expired, ... 11
validating deeds by expired, ... 12
certain words prohibited in title, ... 753
clubs for recreative purposes, ... 795
Counties—voting machines, purchase of, ... 20
commissioner of local government to receive budget for certification, ... 42
assistant prosecutor may attend grand jury, ... 89
filing financial statement, ... 112
vacancy board of freeholders, ... 121
prosecutor of pleas salaries, ... 131
firemen and policemen entering military service, ... 183
validating sale of lands at public auction, ... 192
maximum age limit for appointment, ... 253
auditor, ... 344
retirement of bonds, ... 368
employees pension fund, ... 590
chief medical examiners, ... 683
appointment of probation officers, ... 698
dental clinics, ... 763
pension fund, probation officers, ... 791
issuance of bonds, ... 792
purchase of war bonds, ... 814
salaries, employees, county clerks, ... 818
police and firemen's retirement system, ... 836
Courts—impose sentence in ninety days, ... 33
re-sentence within ten days, ... 33
police court judges appointed, ... 88
to appoint conservator, ... 805
County clerks—salaries, ... 134
Crimes—selling tickets in excess of established tariff, ... 36
unmanufactured horse manure, ... 99
desertion of wife or children, ... 710
cruel and neglectful of children, ... 711
Criminal procedure—accessory to crime tried in county, ... 715

D

PAGE

Deeds—recorded by photostatic or mechanical process, ... 92
validating, made by administrator, ... 108
validating, made by married woman, ... 319
validating, made by corporation, ... 365
Delaware and Raritan canal—appropriation, ... 657
Delaware river water supply—diversion of water resources, ... 328
Department of health—old age benefits, ... 137
compensation to administration officers, ... 137
maintain and operate hospitals, ... 138
Department of law—established, ... 51
administered by, ... 51
act as the sole advice to officers, ... 51
have authority of prosecutor, ... 52
appoint legal assistants, ... 54
may assign deputy attorney-general, ... 55
Disorderly persons—maliciously ringing any bell, ... 34
smoking in bus or trolley car, ... 39
spit on floor of bus or trolley, ... 111
placing poison in public place, ... 364
District courts (criminal)—judge member of bar, ... 62
equal representation, ... 62
first and second criminal Bergen county abolished, ... 84
established in Bergen county, ... 95
District courts—fee of sergeant-at-arms, ... 366
procedure in, ... 602
salaries of clerks, ... 603
service of notice in, ... 690
clerk to issue summons, ... 691
clerk may enter rule for judgment, ... 694

E

Economic development—department established, ... 168
commissioner, ... 168
veterans loan authority, ... 345
Education—see schools.
Elections—voting machines, counties of first class, ... 20
appropriation to State house commission, ... 20
purchase by State house commission, ... 20
voting machines delivered to superintendent of election, ... 21
candidates for delegates may be grouped, ... 23
names of presidential electors not printed on ballot, ... 41
superintendent of election, ... 101
military service voter, ... 246
ballots, ... 350
placards furnished by county boards, ... 353
date of primary elections, ... 375
salaries district boards, ... 580
certificates of nomination, ... 588
salaries county boards, ... 678
military service voting, ...24, 742
voting authorities, ... 751
signature comparison record, ... 773
designation, ... 787
change of residence, ... 815

PAGE

Employees retirement—concerning State employees, ... 702
accumulated deductions, ... 718
Employment agencies—act not to apply to certain, ... 725
Escheats—certain real estate vested in Ebberta C. Walker, ... 85
certain real estate vested in Sarah Ann Gray, ... 113
certain real estate vested in City of Hackensack, ... 116
Ewing township—vacating right title and interest of State, ... 267

F

Father's Day—designating third Sunday in June, ... 319
Fees and costs—if estate does not exceed one thousand dollars, ... 696
Fiduciaries—substituted, ... 355
cancellation of bond, ... 682
validating deeds made by, ... 806
Fish and game—closed season on male pheasants, ... 154
regulating nets in Mullica river, ... 286
closed season for certain game, ... 599

G

Grand juries—assistant prosecutors may attend, ... 89

H

Health—old age benefits, ... 137
Highways—beginning at Route 29, ... 94
beginning at Fenton's Corner, ... 103
fiscal year State highway, ... 592
Hospitals—commitment of patients to mental, ... 110
Housing—changing title of act, ... 45
slum clearance, ... 48
redevelopment companies law, ... 613

I

Insurance—definition of words used in act, ... 69
rating organizations to secure license, ... 70
file copy of rating system, ... 73
suspension of license, ... 79
review by writ of certiorari, ... 81
act not to apply in certain cases, ... 82
eligible groups, ... 140
group life insurance, ... 147
copy of policy filed, ...255, 256
policy not separately cancellable, ... 582
standard fire insurance policy, ... 648
agents, ... 663
Interstate co-operation—diversion of water resources, ... 329
appropriation, ... 370

J

Joint resolution—absentee ballot for servicemen, ... 862
opposing transfer of administration of unemployment compensation, ... 863
creating commission to investigate question of taxation, 865
relative to taxes on incomes, ... 866
Jury commissioners—created in each county, ... 249

L

PAGE

Liability—employers, ... 186
Legal advertising—official advertising in certain cases, ... 163
Libraries—governing body may appropriate money, ... 107
Liens—upon accounts, ... 152
Lis pendens—notice of, ... 662
Local government—receive for certification budget, ... 42
file financial statements with, ... 112

M

Masters in chancery—ex-officio master of prerogative court, ... 662
Medicine—practice of, ...606, 610
Medical service corporation—regulating operation of, ... 257
Mother's Day—designating second Sunday in May, ... 319
Motor vehicles—registered, ... 15
application for registration, ... 15
registration certificate, ... 15
expiration date of certificate, ... 16
penalty for violating act, ... 16
those in military or naval service may continue to drive while in uniform, ... 94
appointment of commissioner, ... 101
inspectors entering military service, ... 183
refund of registration fee, ... 771
Municipalities—payment of bonus to certain employees, ... 17
commissioner of local government to receive budget for certification, ... 42
certain property exempt from taxes, ... 63
police court judge appointed, ... 88
payment of moneys to school districts, ... 102
filing financial statements, ... 112
validating budgets, ... 120
exchange of lands, ... 153
firemen or policemen entering service, ... 183
validating sale of lands at public auction, ... 192
maximum age limit for appointment, ... 253
State aid for roads, ... 283
retirement of bonds, ... 368
sale of lands, ... 593
administration of relief, ... 597
redevelopment companies law, ... 613
vacation of public rights in lands, ... 716
collection of unpaid taxes, ... 726
may acquire tax exempt property, ... 728
may acquire real estate having riparian rights, ... 734
issuance of bonds, ... 792
vacancy in office of recorder, ... 794
may regulate vehicles for transportation, ... 807
exempt fireman certificate, ... 811
purchase of war bonds, ... 814
retirement of policemen and firemen, ... 819
police and firemen's retirement system, ... 836

N

Narcotics—definition of words and phrases, ... 66
National guard—continuation of certain exemptions, ... 139
Notaries—appointed by secretary of state, ... 806

O

PAGE
Oaths and affidavits—administered by, ... 118
Old age assistance—assistance, ... 164
Orphans' court—real estate liable for debts, ... 361
Oysters—preservation of beds, ... 376

P

Passaic Valley sewerage commission—may enter into a lease, ... 752
Pensions—county employees, ... 104
maintenance of right, ... 184
retirement of township collectors, ... 585
county employees, ... 590
application for membership in teachers' retirement fund, ... 692
to widow of veteran, ... 699
to Mary C. Miller, ... 727
superintendent of public works, ... 762
sheriff's employees, ... 772
probation officers fund, ... 791
Personnel—commission on State personnel, ... 14
Pharmacy—rights of registered pharmacists preserved, ... 363
Physicians—practice of medicine, ...606, 610
Police court—police court judge appointed, ... 88
Post-war economic welfare—commission created, ... 244
Probation—appointment of officers, ... 698
pension fund, probation officers, ... 791
Proclamations—American Red Cross war fund campaign, ... 942
corporations null and void, ... 871
"E" day, ... 952
fifth war loan, ... 948
flag day, ... 950
fourth war loan, ... 871
good-will day, ... 944
I am an American day, ... 947
special session of legislature, May 22, ... 945
special session of legislature, June 16, ... 951
United States senate candidates to be nominated, ... 943
Prosecutor of pleas—salaries, ... 131
Protestant Episcopal church—common trust fund, ... 371

R

Racing—distribution of winnings, ... 770
Retirement system—concerning State employees, ... 702
accumulated deductions, ... 718
Revised Statutes—distribution of, ... 109
Roads—see highways.

S

Salaries—board of chosen freeholders, ... 122
civil service commission, ... 126
prosecutor of pleas, ... 131
surrogates, ... 132
county clerks, ... 134
sheriffs, ... 135
sergeant-at-arms, district courts, ... 366
district boards of elections, ... 580
clerks, district courts, ... 603
county superintendent of schools, ... 677

PAGE

Salaries—county boards of elections, ... 678
minimum for teachers, ... 681
secretary county board of taxation, ... 697
employees, county clerks, ... 818
Savings banks—may merge or consolidate, ... 60
joint agreement submitted to commissioner, ... 61
investment of deposits, ... 269
securities held in fiduciary capacity, ... 316
retire officers of, ... 413
Schools—elections, claims permanently registered, ... 13
affidavit form, ... 13
county attendance officer, ... 278
pupil given credit for work, ... 279
provide work for students, ... 374
appeal to State board, ... 612
salaries of county superintendents, ... 677
minimum salary for teachers, ... 681
education war orphans, ... 713
may designate high school, ... 747
procure United States flag, ... 750
State board to prescribe rules, ... 757
employees serving in armed forces, ... 766
School districts—payment of bonus to certain employees, ... 17
certain property exempt from taxes, ... 63
payment of money to, ... 102
statement of financial condition repealed, ... 112
maximum age limit for appointment, ... 253
may designate high school, ... 747
procure United States flag, ... 750
Sheriffs—salaries, ... 135
State employees bonus—war adjustment, ... 321
State funds—State treasurer may deposit, ... 155
post-war reserve account, ... 757
State highway—additional route, ... 94, 103
fiscal year, ... 592
State house commission—voting machines, ... 20
appropriations, ... 20
number of machines purchased, ... 20
machines purchased delivered to superintendent of elections, ... 21
notice of meeting, ... 22
State lands—State to convey to federal government, ... 644, 789
State to convey to E. R. Squibb & Sons, ... 717
State treasurer—to sell bonds and mortgages, ... 40
appropriation for tax litigation, ... 96
may deposit funds, ... 155
to transfer to State highway fund, ... 327
to transfer to municipal aid fund, ... 343
to transfer to general State fund, ... 343
investments by, ... 417
Surrogates—salaries, ... 132

T

PAGE
Taxation and finance—State department created, ... 287
Taxation—sections repealed, ... 111
lands used for State purposes, ... 579
salaries, secretary, county boards, ... 697
appeal to State board, ... 799
Taxes—certain property of State exempt, ... 63
refund, inheritance taxes, ... 150, 151
certificates, ... 252
enforce lien, ... 280
file statement, ... 318
enforcement of collection, ... 365
collection of unpaid, ... 726
compromise inheritance, ... 760
lien on land assessed, ... 812
Teachers—retirement fund, ... 315
accumulated deductions, ... 409
application for membership in retirement fund, ... 692
Township—filing financial statements, ... 112
validating budgets, ... 120
firemen and policemen entering military service, ... 183
validating sales made at public auction, ... 192
maximum age for appointment, ... 253
retirement of collector, ... 585
terms of engineers, ... 585
sale of lands, ... 593
administration of relief, ... 597
redevelopment companies law, ... 613
vacation of public right in lands, ... 716
may acquire tax exempt property, ... 728
may acquire real estate having riparian rights, ... 734
issuance of bonds, ... 792
vacancy in office of recorder, ... 794
may regulate vehicles for transportation, ... 807
exempt fireman certificate, ... 811
purchase of war bonds, ... 814
retirement of policemen and firemen, ... 819
police and firemen's retirement system, ... 836

U

Unemployment compensation—file contribution reports, ... 156
personal debt, ... 157
certificate docketed with clerk supreme court, ... 158
employer entitled to refund, ... 160
jobs, honorably discharged soldiers, ... 788

V

Validating—leases by expired corporations, ... 11
deeds by expired corporations, ... 12
sales made at public auction, ... 192
sale of lands, ... 194
deed made by married woman, ... 319
deeds made by corporations, ... 365
purchase money mortgages, ... 596
deeds made by fiduciaries, ... 806

New Jersey State Library

PAGE

Veterans—certain property of organization exempt from taxes, ... 64
commitment to mental hospital, ... 110
retirement of, ...699, 749
tenure, ... 813
Voting machines—purchased by State house commission, ... 20
delivered to superintendent of elections, ... 21
appropriation to be included in budget, ... 21
installed, ... 22
ballots, ... 22
attorney-general to enforce act, ... 22

W

War orphans—education of, ... 713
Water supply—diversion of water Delaware river, ... 328
Wills—no subscribing witnesses to will of member of armed forces, ... 58
absence of subscribing witnesses, ... 282
notify beneficiaries of probate, ... 795