

ACTS
OF THE
One Hundred and Eightieth Legislature
OF THE
STATE OF NEW JERSEY
AND
Ninth Under the New Constitution



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EXECUTIVE ORDERS

Executive Orders

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 1

I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to the power and authority vested in me by Section 52:15-6 of the Revised Statutes, do hereby authorize you, ROBERT J. BURKHARDT, Secretary to the Governor, to exercise the powers and perform the duties imposed upon me by any law which requires my approval for any plans or specifications for any building or other structure to be erected, repaired or altered, or for any work to be done by or on behalf of any officer, board or department of this State, or of any contract made by or on behalf of any State officer, board or department, for the construction or alteration of any building or other structure, the purchase of any land or any real property of any kind or character, the purchase of supplies, or any personal property of any kind or character, or the performance of any work.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-first day of January, in the year of Our Lord one thousand nine hundred and fifty-four, and in the Independence of the United States, the one hundred and seventy-eighth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 2

Under and pursuant to the authority vested in me by Revised Statutes 52:15-7 I herewith appoint H. Norman Schwarzkopf to examine and investigate the management by Harold G. Hoffman and by any subordinate officers and employees in the Division of Employment Security in the Department of Labor and Industry of the affairs of said Division of Employment Security and, further, to examine and investigate the management and affairs of said Division of Employment Security in the Department of Labor and Industry, for and on my behalf and in my name and, in so doing to exercise all rights and powers specified in that behalf by said Revised Statutes 52:15-7 and,

I further herewith direct the said H. Norman Schwarzkopf to report to me the results of said investigation when completed and, ad interim from time to time as said investigation progresses.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

March 18, 1954.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 3

It appearing that evidence has been presented to the Governor indicating the existence of widespread irregularities concerning the purchase and procurement of supplies and equipment in the Division of Employment Security in the Department of Labor and Industry under circumstances which raise a serious question as to the responsibility therefor, directly or indirectly, of Harold G. Hoffman as Director of the said Division of Employment Security and it further appearing that said evidence is of such a nature as to indicate the necessity, in the public interest, of an investigation thereof by the Governor; and

The Governor having this day appointed H. Norman Schwarzkopf to examine and investigate the management by said Harold G. Hoffman of the said Division of Employment Security and of the management and affairs of said Division of Employment Security; and

The Governor having determined to cause charges of misconduct in office to be made and served against the said Harold G. Hoffman upon the basis of said evidence and of the results of the investigation aforementioned, looking to a determination as to whether the said Harold G. Hoffman should be removed from office under and pursuant to Article V, Section IV, paragraph 4 of the Constitution of New Jersey; and

The Governor having deemed it necessary and desirable, in the public interest, that pending the preparation and service of such charges and the conduct of further proceedings thereon, the said Harold G. Hoffman should be temporarily suspended pending the service, hearing and determination of the charges of misconduct aforesaid; It is therefore on this 18th day of March, 1954

ORDERED that Harold G. Hoffman, Director of the Division of Employment Security in the Department of Labor and Industry, be, and he is herewith temporarily suspended from such office pending the service, hearing and determination of charges against him of misconduct in office; and it is further

ORDERED that pending such suspension Frank T. Judge, Deputy Director of the Division of Employment Security, be, and he is herewith designated as Acting Director of the Division of Employment Security.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

March 18, 1954.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 4

I, ROBERT B. MEYNER, Governor, order and direct that beginning Monday, June 14, and continuing until Friday, September 10, all State offices shall close one half hour earlier than the regular closing hour and that whenever weather conditions are such that the continuing of work of State employees presents problems of great discomfort all State offices may be closed at any time after 2:00 P. M., subject, in Trenton, to notice from Commissioner Carl Holderman of the Department of Labor and Industry and, in Newark, to notice from Commissioner Hortense F. Kessler, President of the Board of Public Utility Commissioners, and subject to the exigencies of departmental work.

Given under my hand and seal this
[SEAL] second day of June, 1954.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 5

WHEREAS, On March 18, 1954, I, ROBERT B. MEYNER, Governor of the State of New Jersey, appointed H. Norman Schwarzkopf to examine and investigate the management and affairs of the Division of Employment Security in the Department of Labor and Industry; and

WHEREAS, The said H. Norman Schwarzkopf having examined and investigated the management and affairs in the said Division and having obtained evidence of the commission of acts of malfeasance and misfeasance by Louis J. Russo, during the period of his employment as Chief Examiner and Secretary of the Civil Service Commission by illegally obtaining and receiving a salary of \$1,000 per annum from the said Division of Employment Security; and

WHEREAS, The said H. Norman Schwarzkopf, as the Governor's Examiner, has prepared and filed charges and specifications alleging the said malfeasance and misfeasance in the office of the said Louis J. Russo; and

WHEREAS, The Governor having deemed it necessary and desirable in the public interest that the said Louis J. Russo should be suspended from his present office of Assistant Chief Examiner in said Department of Civil Service, pending the service,

hearing and the determination of the charges of malfeasance and misfeasance aforesaid; It is therefore on this 18th day of June, 1954

ORDERED that Louis J. Russo, Assistant Chief Examiner in the Department of Civil Service be, and he is herewith suspended from such office pending the hearing and determination of charges against him of malfeasance and misfeasance in office.

ROBERT B. MEYNER,
Governor.

DATED: June 18, 1954.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 6

I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to the authority vested in me by law, do hereby designate the Department of Conservation and Economic Development as the State Agency having approval power and supervisory responsibility over works of improvement undertaken for flood prevention and the agricultural phases of the conservation, development, utilization, and disposal of water by the Federal Government and the State of New Jersey, or any political subdivision of the State of New Jersey, acting in cooperation with each other by and under the authority of Public Law 566 of the Eighty-third Congress of the United States.

ROBERT B. MEYNER,
Governor.

[SEAL]

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

September 22, 1954.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 7

I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to the authority vested in me by the Constitution and by the statutes of this State do hereby ORDER and DIRECT that the President of the Board of Public Utility Commissioners shall forthwith serve ex officio as a member of the State Coordinating Council of Traffic and Safety heretofore established by virtue of Executive Order No. 31, dated November 30, 1951.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of October, in the year of Our Lord one thousand nine hundred and fifty-four, and in the Independence of the United States, the one hundred and seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:

DOROTHY G. SMITH,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 8

I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to law do hereby designate Frederick M. Raubinger, Commissioner of Education of the State Department of Education, as the State official authorized to accept and use the

sums paid out by the United States Commissioner of Education, through the disbursing facilities of the United States Treasury Department, as the allotment of the State of New Jersey under Public Law 530 of the 83rd Congress of the United States for the purposes therein prescribed.

[SEAL] Given under my hand and seal this
second day of February, in the year of
Our Lord one thousand nine hundred
and fifty-five, and the Independence of
the United States, the one hundred and
seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 9

Upon execution of the Order of dismissal of William S. Lutz and Thomas B. Faherty, I am hereby directing that a transcript of the testimony at the hearing of charges against said William S. Lutz and Thomas B. Faherty, a copy of the report by my hearing officer, Augustus C. Studer, Jr., and a copy of the Order of dismissal be sent forthwith to Commissioner Carl Holderman of the Department of Labor and Industry, to undertake any disciplinary action against other members of the Division of Employment Security which he deems to be appropriate upon the basis of their participation in illegal or improper activities, as disclosed by the full record or by any other or further investigation.

I hereby further direct that Attorney General Grover C. Richman, Jr., and H. Norman Schwarzkopf, appointed as my Special Examiner, examine the said transcript of testimony, the report of my hearing officer, Augustus C. Studer, Jr., and the Order of dismissal, all of which are referred to above, and, in conjunction with their examination and consideration of such other facts and evidence as may be in their possession, refer such matters as may warrant criminal prosecution, or further action of any nature, to such authority or authorities as may be duly constituted or established to undertake such prosecutions or proceedings.

[SEAL] Given under my hand and seal this fourteenth day of February, in the year of Our Lord one thousand nine hundred and fifty-five, and the Independence of the United States, the one hundred and seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:
ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 10

WHEREAS, The State Highway Department has determined to take over the abandoned railroad right-of-way between Bay Head and Seaside Park, which was conveyed to the State of New Jersey by the Pennsylvania and Atlantic Railroad Company by deed dated May 12, 1950 and recorded January 12, 1951 in Book 1384 of Deeds, page 447 for Ocean County, as a widening of Route 37 from Bay Head to Seaside Park; and

WHEREAS, The State House Commission has by resolution adopted April 4, 1955, transferred to the State Highway Department all of its right, title, interest, and control to that part of said right-of-way which was conveyed to the State by said deed;

NOW, THEREFORE, I, ROBERT B. MEYNER, Governor of the State of New Jersey, do hereby confirm the action of the State House Commission in transferring said title, and do hereby order and direct that the title to that part of said right-of-way which is now vested in the State shall hereafter be subject to the jurisdiction of the State Highway Department for the purposes of maintenance and development as an addition to the highway system.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
fifth day of April, in the year of Our
Lord one thousand nine hundred and
fifty-five, and in the Independence of the
United States, the one hundred and
seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 11

WHEREAS, Executive Order No. 31, dated November 30, 1951, directed the establishment of the Bureau of Traffic Safety and the State Coordinating Council on Traffic and Safety within the Department of Law and Public Safety, and

WHEREAS, Many administrative difficulties have resulted upon the division of control and authority over the regulation of State, county and municipal roads among the State Highway Department, the Division of Motor Vehicles, and the Bureau of Traffic Safety, and

WHEREAS, Traffic safety on State highways can be controlled more effectively by the consolidation in the State Highway Department of the functions of traffic and safety engineering, highway planning, road capacity engineering, establishing speed zones and locating traffic signals which relate to State highways, and

WHEREAS, Traffic accidents on the roads and highways of New Jersey resulting in loss of life, personal injury and destruction of property are continuing to increase and,

WHEREAS, The Bureau of Traffic Safety performs some of the functions which can be accomplished more effectively and economically by centralization of responsibility in the State Highway Department,

NOW, THEREFORE, I, ROBERT B. MEYNER, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby order and direct:

1. The Attorney General, as head of the Department of Law and Public Safety, shall forthwith, after consultation with the State Highway Commissioner, arrange for the transfer to the State Highway Department of such personnel now in the Bureau of Traffic Safety as perform functions relating to traffic safety on the State highways. All transfers of personnel so made shall be effected in such a manner as to preserve any tenure rights or any rights or protection provided such personnel by Title 11 of the Revised Statutes, or under any pension law or retirement system.

2. The Attorney General shall, in accordance with the statutes in such case made and provided, arrange, in co-operation with the Director of the Division of Budget and Accounting, for the transfer to the State Highway Department of appropriations available and to become available to the Bureau of Traffic Safety for the administration of the functions transferred to the State Highway Department.

3. The Attorney General shall, in accordance with the statutes in such case made and provided, arrange for the transfer to the State Highway Department of physical property used by the personnel so transferred to the State Highway Department in connection with matters relating to State highways.

4. The State Highway Commissioner shall provide in his department adequate facilities for the performance of the functions formerly performed by the Bureau of Traffic Safety to the extent that they relate to the State highways.

5. The State Highway Commissioner shall co-operate and consult with the Attorney General and the Director of the Bureau of Traffic Safety so as to promote to the greatest extent possible uniformity and consistency with respect to traffic safety measures employed by the respective agencies for State, county and municipal roads.

6. The State Coordinating Council on Traffic and Safety shall continue to operate as the co-ordinating agency for all traffic safety problems on State highways as well as on county and municipal roads.

7. The Attorney General may appoint such additional members to the State Coordinating Council on Traffic and Safety as he may consider necessary to execute its objectives.

8. The Attorney General may, in addition thereto, establish committees to assist the State Coordinating Council in performing its functions and appoint the members thereof.

9. The State Highway Commissioner and the Director of Traffic Safety shall each make an annual report to the Governor of their respective operations concerning traffic safety.

10. The provisions of Executive Order No. 31, dated November 30, 1951, which are inconsistent herewith are hereby revoked and vacated.

[SEAL] Given under my hand and seal this eleventh day of April, in the year of Our Lord one thousand nine hundred and fifty-five, and in the Independence of the United States, the one hundred and seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 12

WHEREAS, It is essential to establish regulations prescribing certain functions and duties of the Chief of Staff, and the Department of Defense, which will utilize to the fullest extent all available resources of the State of New Jersey, and those of the Federal Government with respect to Civil Defense, Disaster Control and the State Military and Naval Forces,

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NOW, THEREFORE, I, ROBERT B. MEYNER, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the provisions of Chapter 251, Laws of 1942, as amended and supplemented, and pursuant to Section 38:2-7 of the Revised Statutes of the State of New Jersey do hereby order, make and publish the following regulations governing the Department of Defense:

1. The Chief of Staff, in addition to other functions, powers and duties conferred upon him shall:

a. Supervise, Administer, Co-ordinate and Command:

(1) State Civil Defense Activities.

(2) State Disaster Control Activities.

b. Administer and Command the State Military and Naval Forces as follows:

(1) *Martial Law*: Whenever the State Military or Naval Forces or any part thereof are employed in aid of civil authority and martial law is proclaimed, he shall command such forces.

(2) *Active Service*: In case of disaster, insurrection, invasion, tumult, riot, breach of the peace, or imminent danger to public safety, all or any part of the State Military and Naval Forces, which are ordered into active State service, shall be commanded by him.

(3) *National Guard, Army and Air*: The National Guard, both Army and Air, shall be commanded by the Chief of Staff who shall be responsible for the training, discipline, supply and general efficiency thereof. He may further delegate such command functions as he shall deem necessary.

(4) *Naval Militia*: The Naval Militia shall be commanded by the Chief of Staff, who may further delegate command functions as he deems necessary.

(5) *New Jersey State Guard*: The New Jersey State Guard shall be commanded by the Chief of Staff, who shall have all the powers in respect to the New Jersey State Guard conferred upon him by law or regulations. He may further delegate such command functions as he deems necessary.

(6) *Headquarters*: He shall establish and maintain such headquarters for Army and Air units of the National Guard, Naval Militia and State Guard as he shall deem necessary. He may assign, for duty with these headquarters, such officer and enlisted personnel as he shall deem necessary.

(7) *Rank and Precedence*: The Chief of Staff, Department of Defense, shall take rank and precedence above all other officers of the State Military and Naval Forces.

[SEAL] Given under my hand and seal this
twelfth day of May, in the year of Our
Lord one thousand nine hundred and
fifty-five, and in the Independence of
the United States, the one hundred and
seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 13

I, ROBERT B. MEYNER, Governor, order and direct that beginning Monday, June 13, and continuing until Friday, September 9, all State offices shall close one half hour earlier than the regular closing hour and that whenever weather conditions are such that the continuing of work of State employees presents problems of great discomfort all State offices may be closed at any time after 2:00 P. M., subject, in Trenton, to notice from Commissioner Carl Holderman of the Department of Labor and Industry and, in Newark, to notice from Commissioner Hortense F. Kessler, President of the Board of Public Utility Commissioners, and subject to the exigencies of departmental work.

[SEAL] Given under my hand and seal this seventeenth day of May, in the year of Our Lord one thousand nine hundred and fifty-five, and in the Independence of the United States, the one hundred and seventy-ninth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 14

WHEREAS, Executive Order No. 31, dated November 30, 1951, directed the establishment of the Bureau of Traffic Safety and the State Coordinating Council on Traffic and Safety in the Department of Law and Public Safety; and

WHEREAS, The administrative difficulties which were caused by the division of control and authority over State highways between the State Highway Department and the Bureau of Traffic Safety have been resolved by Executive Order No. 11, dated April 11, 1955, which vested control as to State highways in the State Highway Department; but

WHEREAS, Many of the remaining responsibilities of the Bureau of Traffic Safety are dependent entirely upon the powers granted by law to the Director of the Division of Motor Vehicles in the Department of Law and Public Safety, and, conversely, many of the duties imposed by law on the Director of the Division of Motor Vehicles must be discharged by personnel of the Bureau of Traffic Safety, since the personnel performing these duties were transferred to the Bureau from the Division of Motor Vehicles; and

WHEREAS, Our traffic safety problem is of such magnitude that the State can ill afford a situation so in conflict with basic principles of sound administration: responsibility without authority, and duties imposed upon a State official which must be performed by personnel over which he has no control; and

WHEREAS, A consolidation of State agencies dealing with the traffic safety problem will result in closer co-operation and greater co-ordination of effort among State, county and local officials concerned with this grave problem,

NOW, THEREFORE, I, ROBERT B. MEYNER, GOVERNOR of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby order and direct:

1. The Bureau of Traffic Safety in the Department of Law and Public Safety is hereby trans-

ferred to the Division of Motor Vehicles in the Department of Law and Public Safety, and shall function as a Bureau of the said Division of Motor Vehicles.

2. The Attorney General, as head of the Department of Law and Public Safety, shall forthwith arrange for the transfer of all personnel of the Bureau of Traffic Safety, as established by Executive Order No. 31, dated November 30, 1951, with the exception of those subject to the provisions of Executive Order No. 11, dated April 11, 1955, to the Bureau of Traffic Safety in the Division of Motor Vehicles. All transfers of personnel so made shall be effected in such a manner as to preserve any tenure rights or any rights or protection provided such personnel by Title 11 of the Revised Statutes, or under any pension law or retirement system.

3. The Attorney General shall, in accordance with the statutes in such case made and provided, arrange, in co-operation with the Director of the Division of Budget and Accounting, for the transfer to the Division of Motor Vehicles of all appropriations available and to become available to the Bureau of Traffic Safety.

4. The Attorney General shall, in accordance with the statutes in such case made and provided, arrange for the transfer to the Division of Motor Vehicles of all physical equipment and property of the Bureau of Traffic Safety.

5. Personnel assigned to the Bureau of Traffic Safety in the Division of Motor Vehicles shall exercise such functions and perform such duties as the Director of Motor Vehicles, with the approval of the Attorney General, shall prescribe.

6. The principal functions of the Bureau of Traffic Safety, under the supervision and direction of the Director of Motor Vehicles, shall be those

set forth in paragraph 5 of Executive Order No. 31, dated November 30, 1951, as amended by Executive Order No. 11, dated April 11, 1955.

7. With the approval of the Attorney General, the Director of the Division of Motor Vehicles shall make and promulgate such rules and regulations as he deems necessary for the efficient operation of the said Bureau.

8. The State Coordinating Council on Traffic and Safety in the Department of Law and Public Safety, as established by paragraph 7 of Executive Order No. 31, dated November 30, 1951, shall continue to operate with the functions and personnel as set forth in said paragraph, and in paragraphs 6, 7 and 8 of Executive Order No. 11, dated April 11, 1955, except that the head of the Bureau of Traffic Safety in the Division of Motor Vehicles shall be a member of the Council and shall serve as its Secretary.

9. An annual report of the activities of the Bureau of Traffic Safety shall be made by the Director of the Division of Motor Vehicles as an integral part of his annual report to the Governor and the Legislature.

10. Paragraphs 1, 2, 3, 4, 6, 8 and 9 of Executive Order No. 31, dated November 30, 1951, and any other provisions of the said Executive Order No. 31 which are inconsistent herewith, are hereby revoked and vacated.

11. Paragraph 9 of Executive Order No. 11, dated April 11, 1955, is hereby revoked and vacated.

12. For the purpose of clarifying said Executive Order No. 11, dated April 11, 1955, and to confirm the transfer of authority which was intended to be accomplished by said Executive Order No. 11, it is hereby ORDERED that all functions which were vested in the Bureau of Traffic Safety by Executive

Order No. 31, dated November 30, 1951, and which relate to traffic and traffic control on roads of the State Highway System and of intersections of county and municipal roads with the State Highway System are hereby transferred to and vested in the State Highway Department.

[SEAL] Given under my hand and seal this 20th day of February, in the year of Our Lord one thousand nine hundred and fifty-six, and of the Independence of the United States, the one hundred and eightieth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 15

I, ROBERT B. MEYNER, Governor, order and direct that beginning Monday, June 18, and continuing until Friday, September 7, all State offices shall close one-half hour earlier than the regular closing hour and that whenever weather conditions are such that the continuing of work of State employees presents problems of great discomfort all State offices may be closed at any time after 2:00 P. M., subject, in Trenton, to notice from Commissioner Carl Holderman of the Department of Labor and Industry and, in Newark, to notice from Commissioner Edward J. Hart, President of the Board of Public Utility Commissioners, and subject to the exigencies of departmental work.

[SEAL] Given under my hand and seal this
seventeenth day of May, in the year of
Our Lord one thousand nine hundred
and fifty-six, and in the Independence
of the United States, the one hundred
and eightieth.

ROBERT B. MEYNER,
Governor.

Attest:

ROBERT J. BURKHARDT,
Secretary to the Governor.

