MINUTES

of the

ONE HUNDRED TWENTY-NINTH

GENERAL ASSEMBLY

of the

STATE of NEW JERSEY

1905

New Jersey State Library

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Members of the General Assembly.

Atlantic.

THOMAS C. ELVINS,

Bergen.

CLARENCE MABIE,
JOHN HECK,

Burlington.

BENJAMI D. SHEDAKER,
SAMUEL K. ROBBINS.

Camden.

HENRY S. SCOVEL,
THEODORE B. GIBBS,
SAMUEL P. JONES.

Cape May.

JAMES M. E. HILDRETH.

Cumberland.

LOUIS H. MILLER,
B. FRANK BUCK.

Essex.

EVERETT COLBY,
FREDERICK R. LEHLBACH,
WILLIAM PENNINGTON,
FRED. W. MANNERS,
ABRAHAM KAISER,
HERBERT W. TAYLOR,
JOHN J. GALLAGHER,
SAMUEL F. WILSON,
EDWARD D. BIRKHOLZ,
HAMPDEN L. JOHNSTONE,
EDWARD D. DUFFIELD.

Gloucester.

JOHN BOYD AVIS.

Hudson.

JAMES A. HAMILL,
JOSEPH C. DUFF,
ARCHIBALD ALEXANDER,
EDWARD A. MURPHY,
JOSEPH A. RIORDAN,
EDGAR H. LOVERIDGE,
WILLIAM J. BOUCHER,
MYRON C. ERNST,
GODFREY B. MATTHEUS
HARRY W. LANGE,
JOHN CALLERY,
ROBERT H. SCOTT.

Hunterdon.

JAMES H. WILLEVER.

Mercer

ALFRED N. BARBER,
RALPH HULSE,
THOMAS B. DE COU.

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Middlesex.

J. H. THAYER MARTIN, JR.,
ALEXANDER R. FORDYCE, JR.,
FRANK C. HENRY.

Monmouth.

EDGAR I. VAN DERVEER,
WALTER S. REED,
GEORGE C. HENRY.

Morris.

CHARLES A. BAKER,
JOHN M. MILLS.

Ocean.

CORNELIUS C. PEARCE.

Passaic.

GEORGE F. WRIGHT,
GEORGE H. DALRYMPLE,
ERNEST SHAW,
HENRY MARELLI,
THOMAS R. LAYDEN.

Salem.

THOMAS E. HUNT.

Somerset.

IRVING HOAGLAND.

Sussex.

——— ———

Union.

EDWARD S. COYNE,
PETER TILLMAN,
RANDOLPH PERKINS.

Warren.

JOHN A. WILDRICK.

Officers of the Assembly.

SPEAKER,
JOHN BOYD AVIS.

CLERK,
JAMES PARKER.

ASSISTANT CLERK,
UPTON S. JEFFERYS.

JOURNAL CLERK,
ROBERT S. TERHUNE.

ASSISTANT JOURNAL CLERK,
HOWARD B. KEASBY.

SUPERVISOR OF BILLS,
GEORGE A. GROVER.

ASSISTANT SUPERVISORS OF BILLS,
HARRY A. GITTONE,
A. LINCOLN SCOWCRODT.

SERGEANT-AT-ARMS,
GEORGE B. LUTTS.

ASSISTANT SERGEANTS-AT-ARMS,
ALFRED J. HARGAN,
WILLIAM S. DEY.

BILL CLERK,
EDWARD TOTTEN.

ASSISTANT BILL CLERK,
FREDERICK BENDER.

SPEAKER'S PRIVATE SECRETARY,
WILLIAM H. ALBRIGHT.

MEMBERS

OF THE

Sixty-first Senate

OF THE

STATE OF NEW JERSEY.

Atlantic, ... EDWARD S. LEE.
Bergen, ... EDMUND W. WAKELEE.
Burlington ..... JOHN G. HORNER.
Camden, ... WILLIAM J. BRADLEY.
Cape May, ... LEWIS M. CRESSE.
Cumberland, ... BLOOMFIELD H. MINCH.
Essex, ... J. HENRY BACHELLER.
Gloucester, ... THOMAS M. FERRELL.
Hudson, ... JAMES F. MINTURN.
Hunterdon, ... GEORGE F. MARTENS, JR.
Mercer, ... BARTON B. HUTCHINSON
Middlesex, ... WILLIAM H. C. JACKSON.
Monmouth, ... OLIVER H. BROWN.
Morris, ... THOMAS J. HILLERY.
Ocean, ... GEORGE L. SHINN.
Passaic, ... WOOD McKEE.
Salem, ... JAMES STRIMPLE.
Somerset, ... SAMUEL S. CHILDS.
Sussex, ... JACOB C. PRICE.
Union, ... JOSEPH CROSS.
Warren, ... ISAAC BARBER.

Officers of the Senate.

PRESIDENT,
JOSEPH CROSS.

SECRETARY,
HOWARD L. TYLER.

ASSISTANT SECRETARY,
LEWIS T. STEVENS.

JOURNAL CLERK,
S. MERCHANT MEEKER.

ASSISTANT JOURNAL CLERK,
HORACE SPRAGUE.

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EDWARD C. STOUGHTON.

SUPERVISOR OF BILLS,
ISAAC R. PIERSON.

ASSISTANT SUPERVISOR OF BILLS,
SAMUEL GILLEN.

BILL CLERK,
DAVID A. MacINTYRE.

CALENDAR CLERK,
WALLACE R. KING.

Assembly Standing Committees.

Agriculture and Agricultural College.

Shedaker, Gibbs, De Cou, Van Derveer.

Appropriations.

Robbins, Colby, Miller, Elvins, Willever.

Banks and Insurance.

Birkholz, Buck, Barber, Wright, Ernst.

Bill Revision.

Martin, Birkholz, Tillman, Marelli, Lange.

Boroughs and Borough Commissions.

Hunt, Fordyce, Gallagher, Heck, Wildrick.

Claims and Revolutionary Pensions.

Taylor, Van Derveer, Miller, Wright, Murphy.

Commerce and Navigation.

Gallagher, Coyne, Henry G. C., Scott, Alexander.

Corporations.

Dalrymple, Buck, Taylor, Coyne, Loveridge.

Education.

Colby, Hoagland, Marelli, Mabie, Mattheus.

Elections.

De Cou, Mills, Johnstone, Marelli, Boucher.

Federal Relations.

Layden, Kaiser, Hulse, Pearce, Murphy.

Game and Fisheries.

Gibbs, Hunt, Kaiser, Henry G. C., Loveridge.

Incidental Expenses.

Hulse, Jones, Duffield, Dalrymple, Ernst.

Judiciary.

Duffield, Robbins, Martin, Jones, Hamill.

Labor and Industries.

Pennington, Shedaker, Mills, Scott, Boucher.

Militia.

Fordyce, Shaw, Manners, Barber, Callery.

Miscellaneous Business.

Hildreth, Pennington, Scovel, Dalrymple, Lange.

Municipal Corporations.

Scovel, Lehlbach, Hulse, Layden, Duff.

Printed Bills.

Elvins, Birkholz, Reed, Hoagland, Decker.

Public Health.

Buck, Wilson, Henry F. C., Mabie, Riordan.

Railroads and Canals.

Baker, Henry F. C., Johnstone, Reed, Wildrick.

Revision of Laws.

Miller, Hildreth, Pennington, Shaw, Alexander.

Riparian Rights.

Shaw, Colby, Shedaker, Heck, Duff.

Stationery.

Lehlbach, Robbins, Fordyce, Henry G. C., Mattheus.

Towns and Townships.

Pearce, Manners, Tillman, Elvins, Willever.

Unfinished Business.

Wilson, Martin, Tillman, Vanderveer, Hamill.

Ways and Means.

Johnstone, Baker, Scovel, De Cou, Callery.

Assembly Joint Committees.

Home for Feeble Minded Women.

Pearce, Birkholz, Marelli, Henry F. C., Boucher.

New Jersey Reformatory.

Martin, Tillman, Wright, Kaiser, Alexander.

Passed Bills.

Lehlbach, Baker, Barber, Gibbs, Loveridge.

Printing.

Hildreth, Pennington, Mills, Mabie, Callery.

Public Grounds and Buildings.

Kaiser, Dalrymple, Heck, Jones, Hamill.

Sanatorium for Tuberculous Diseases.

Robbins, Gibbs, Pearce, Taylor, Ernst.

School for Deaf-Mutes.

Hunt, Hildreth, Lehlbach, Wright, Willever.

Sinking Fund.

Fordyce, Gallagher, Coyne, Layden, Decker.

Soldiers' Home.

Miller, Shaw, Wilson, Henry G. C., Wildrick.

State Home for Boys.

Buck, Johnstone, Reed, Scott, Lange.

State Home for Girls.

Manners, Jones, Hoagland, Reed, Mattheus.

State Hospitals.

Henry F. C., Baker, Barber, Duffield, Murphy.

State Library.

Taylor, Mabie, Scovel, Hunt, Riordan.

State Prison.

Coyne, Wilson, Hulse, Scott, Duff.

State Village for Epileptics.

Layden, Vanderveer, De Cou, Manners, Hamill.

Training School for Feeble-Minded Girls and Boys.

Gallagher, Elvins, Mabie, Hoagland, Riordan.

Treasurer's Accounts.

Shedaker, Colby, Mills, Heck, Wildrick.

Standing Committees of the Senate.

Agriculture.

Brown, Horner, Martens.

Appropriations.

Bradley, Jackson, Hillery, Childs.

Banks and Insurance.

Hutchinson, Bradley, Lee.

Boroughs and Townships.

McKee, Cresse, Childs.

Clergy.

Shinn, Hutchinson, Cresse.

Commerce and Navigation.

Lee, Bradley, Strimple.

Corporations.

Minch, Wakelee, Jackson.

Education.

Lee, Wakelee, Price.

Elections.

Jackson, McKee, Ferrell.

Finance.

Brown, McKee, Barber.

Game and Fisheries.

McKee, Minch, Brown.

Judiciary.

Wakelee, Hutchinson, Minturn.

Labor and Industry.

Shinn, Bradley, Martens.

Militia.

Bacheller, Minch, Ferrell.

Miscellaneous Business.

Hillery, Horner, Strimple.

Municipal Corporations.

Bacheller, Lee, Brown.

Printed Bills.

Jackson, Shinn, Strimple.

Public Health.

Horner, Hillery, Price.

Railroads and Canals.

Cresse, Bacheller, Barber.

Revision of Laws.

Horner, McKee, Hillery.

Riparian Rights.

Minch, Hutchinson, Lee.

Stationery and Incidental Expenses.

Cresse, Horner, Bacheller.

Unfinished Business.

Wakelee, Shinn, Minturn.

Senate Joint Committees.

Federal Relations.

Shinn, Hutchinson, Strimple.

State Home for Girls.

Jackson, Cresse, Strimple.

Passed Bills.

Horner, Jackson, Martens.

Public Grounds and Buildings.

Hutchinson, Wakelee, Barber.

Printing.

Lee, Brown, Barber.

State Home for Boys.

Bradley, Shinn, Strimple.

School for Deaf-Mutes.

Bacheller, Hillery, Price.

Sinking Fund.

Bradley, Horner, Price.

Soldiers' Home.

Bacheller, Minch, Minturn.

State Hospitals.

Hillery, Minch, Ferrell.

State Library.

Hillery, Lee, Minturn.

State Prison.

McKee, Lee, Minturn.

Treasurer's Accounts.

Brown, Bacheller, Ferrell.

New Jersey Reformatory.

Wakelee, Jackson, Childs.

State Village for Epileptics.

Minch, Bradley, Childs.

Home for Feeble-Minded Women.

Wakelee, McKee, Hutchinson.

Training School for Feeble-Minded Girls and Boys.

Cresse, Brown, Price.

Sanatorium for Tuberculous Diseases.

McKee, Horner, Martens.

MINUTES.

STATE OF NEW JERSEY,
HOUSE OF ASSEMBLY,
TRENTON, N. J., January 10th, 1905.

House met at 3 P. M.

This being the day designated by the Constitution for the assembling of the One Hundred and Twenty-ninth Legislature of the State of New Jersey, the House was duly called to order at 3 o'clock in the afternoon by James Parker, of Passaic county, Clerk of the last House, who presided pending the organization of the House.

Prayer was offered by Rev. Benjamin F. Buck, of Auburn, Salem county.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis, Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cue, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the reading of the certificates of election of the respective members be dispensed with.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Honorable William Pennington, of Essex county, who is a Master in Chancery of this State, and a member-elect of this House, administer the oath of office to the Honorable Henry S. Scovel, of Camden county, a member-elect, by whom the oath of office shall be administered to the members-elect.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Honorable James M. E. Hildreth, of Cape May county, who is a Master in Chancery of this State, and a member-elect of this House, administer the oath of office to the Speaker and other officers when elected.

The following men presented their certificates of election:

Atlantic county—Thomas C. Elvins.

Bergen county—Clarence Mabie, John Heck.

Burlington county—Benjamin D. Shedaker, Samuel K. Robbins.

Camden county—Henry S. Scovel, Theodore B. Gibbs, Samuel P. Jones.

Cape May county—James M. E. Hildreth.

Cumberland county—Louis H. Miller, B. Frank Buck.

Essex county—Everett Colby, Frederick R. Lehlbach, William Pennington, Fred. W. Manners, Abraham Kaiser, Herbert W. Taylor, John J. Gallagher, Samuel F. Wilson, Edward D. Birkholz, Hampden L. Johnstone, Edward D. Duffield.

Gloucester county—John Boyd Avis.

Hudson county—James A. Hamill, Joseph C. Duff, Archibald Alexander, Edward A. Murphy, Joseph A. Riordan, Edgar H. Loveridge, William J. Boucher, Myron C. Ernst, Godfrey B. Mattheus, Harry W. Lange, John Callery, Robert H. Scott.

Hunterdon county—James H. Willever.

Mercer county—Alfred N. Barber, Ralph Hulse, Thomas B. De Cou.

Middlesex county—J. H. Thayer Martin, Jr., Alexander R. Fordyce, Jr., Frank C. Henry.

Monmouth county—Edgar I. Van Derveer, Walter S. Reed, George C. Henry.

Morris county—Charles A. Baker, John M. Mills.

Ocean county—Cornelius C. Pearce.

Passaic county—George F. Wright, George H. Dalrymple, Ernest Shaw, Henry Marelli, Thomas R. Layden.

Salem county—Thomas E. Hunt.

Somerset county—Irving Hoagland.

Sussex county—

Union county—Edward S. Coyne, Peter Tillman.

Warren county—John A. Wildrick.

The oath of office was administered by Mr. Pennington to Mr. Scovel, who administered it to the other members, who then signed the oath.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the House do now proceed with the election of Speaker and other officers.

Mr. Duffield nominated John Boyd Avis, of Gloucester county.

Mr. Hamill nominated Joseph C. Duff, of Hudson county.

Mr. Lange seconded the nomination of Mr. Duff.

The roll was called with the following result:

For Mr. Avis—

Messrs. Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cue, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Laydon, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson Wright—45.

For Mr. Duff—

Messrs. Alexander, Avis, Boucher, Callery, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

Mr. Avis, having received a majority of the votes, was declared elected.

The Clerk requested Messrs. Duff, of Hudson, and Colby, of Essex, to escort the Speaker to the chair.

The committee thereupon escorted Mr. Avis to the Speaker's chair, where he took and subscribed to the oath of office prescribed by the Constitution of New Jersey.

Upon taking the chair, the newly-elected Speaker made the following address:

Fellow-Members of the Assembly:

Again we are gathered together in annual session, and again, through your favor, I am permitted to extend to you my sincere thanks for the honor you have done me by again selecting me as your presiding officer. To be selected for the second time, successively, as the Speaker of this House, is, indeed, an honor for which I am deeply grateful. My experience in the General

Assembly, both as a member on the floor and as your Speaker, has been exceedingly pleasant and agreeable, and I hope that the feeling of mutual confidence which has heretofore prevailed between the members and the Speaker will continue; such a feeling will do much to assist in the prompt disposal of legislation. We, my fellow-members, are holding positions of the highest trust and confidence.

Under the Constitution of New Jersey there are three divisions of the governing power; the Executive Department, to enforce the laws; the Judicial, to construe them, and the duty of the Legislative, of which we compose the most numerous branch, is to enact just laws for the government of the people of the State. The initiation is with the Legislature, and upon the Senators and Members rests the responsibility for the enactment of just legislation. Serious and important matters will be presented to us for our consideration and approval during this session, and we should never forget that we are but representatives of a sovereign people who expect us to faithfully discharge our duty to them in accordance with their best interests, and the promises that we may have made.

If each member of the House will realize his personal responsibility for the passage of just and beneficial laws, and also, personally, consider it his duty to see that our labors are performed as economically and expeditiously as possible, when the session closes the members will have cause for congratulation, and the people of the State will commend our efforts. I again thank you all, and assure you that my constant effort will be to see that each member of the House at this session receives fair, honest and impartial treatment.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That we now proceed to the election of the Clerk of the House.

Mr. Marelli nominated Hon. James Parker, of Passaic county.

Mr. Hamill nominated Mr. Samuel A. Metz, of Warren county.

The roll was called with the following result:

For Mr. Parker—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli,

Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—45.

For Mr. Metz—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

The Speaker thereupon declared Mr. Parker elected.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That a committee of three be appointed forthwith by the Speaker to wait upon the Governor, and inform him that the House of Assembly has organized by the election of the Honorable John Boyd Avis, of Gloucester county, as Speaker, and the Honorable James Parker, of Passaic county, as Clerk, and is now ready to proceed to business, and also to receive any communication he may be pleased to make.

The Speaker appointed as a committee to wait upon the Governor Messrs. Colby, Fordyce and Lange.

A message was received from the Governor by the hands of his Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
January 10th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following resolutions:

Resolved, That the Secretary of the Senate be directed to inform the House of Assembly that the Senate has organized and elected the Hon. Joseph Cross, of the county of Union, President, and Howard L. Tyler, of the county of Cumberland, Secretary, and has proceeded to business.

HOWARD L. TYLER,
Secretary of the Senate.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
January 10th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following concurrent resolution:

Resolved (the House concurring), That a committee of eight, three Senators and five Assemblymen, be designated by the President of the Senate and Speaker of the House of Assembly, respectively, to make the necessary arrangements for the inauguration of the Honorable Edward Casper Stokes, as Governor of the State of New Jersey.

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

On motion of Mr. Duffield the House concurred in the Senate message.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Clerk of the House be and he is hereby directed to inform the Senate that the House of Assembly has organized by the election of the Honorable John Boyd Avis, of Gloucester county, as Speaker, and the Honorable James Parker, of Passaic county, as Clerk, and has proceeded to business.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the House now proceed to fill the several positions and that nominations be made and a vote taken for all of the positions at one and the same time.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the following-named persons be and are hereby elected to the several positions set oposite their names:

Assistant Clerk—Upton S. Jefferys, of Camden county.

Journal Clerk—Robert S. Terhune, of Essex county.

Assistant Journal Clerk—Howard B. Keasby, of Salem county.

Supervisor of Bills—George A. Grover, of Essex county.

First Assistant Supervisor of Bills—Harry A. Gittone, of Cumberland county.

Second Assistant Supervisor of Bills—A. Lincoln Scowcrodt, of Passaic county.

Sergeant-at-Arms—George B. Lutts, of Atlantic county.

First Assistant Sergeant-at-Arms—William S. Dey, of Middlesex county.

Second Assistant Sergeant-at-Arms—Alfred J. Hargan, of Essex county.

Bill Clerk—Edward Totten, of Morris county.

Assistant Bill Clerk—Frederick Bender, of Union county.

Assistant to Clerk of House—Reginald Branch, of Burlington county.

Assistant to Journal Clerk—Robert J. Cresswell, of Cape May county.

Assistant to Supervisor—Seymour H. Francis, of Monmouth county.

Doorkeepers—John Seeds, of Burlington county; Warren R. Thompson, of Middlesex county; Richard A. Peltier, of Middlesex county; William Paullin, of Cumberland county; William Peacock, of Cumberland county; Harry Kersey, of Mercer county; Charles Lee, of Passaic county; Henry B. Snyder, of Essex county; Arthur V. Nungesser, of Essex county; James C. Leap, of Gloucester county; William S. Morris, of Mercer county; William D. Wilson, Jr., of Camden county; David M. Fowler, of Camden county; Frank Yarnall, of Monmouth county.

Pages—Robert McDaniels, of Essex county; John Ashman, Jr., of Essex county; Thomas Higgins, of Essex county; James Crotty, of Essex county; Arthur W. Scott, of Hudson county; Frank Dey, of Middlesex county; W. Howard Jeffrey, of Ocean county; Jacob Hempstead, of Passaic county; Charles A. Doeringer, of Somerset county; William H. Randolph, Jr., of Union county; Morris Blatt, of Bergen county; Henry Hauenstein, of Bergen county.

Pages, with Postmasterships—Julius Berkowitz, of Essex county; Charles Z. Rowe, of Mercer county.

Keepers, Gentlemen's Gallery—Chas. L. Ogden, of Camden county; John H. McCabe, of Mercer county; Ulysses G. Wood, of Burlington county.

Keepers, Ladies' Gallery—Samuel Leonard, of Morris county; Charles Erving, of Passaic county; James I. McKelvey, of Ocean county.

Mr. Hamill offered the following substitute resolution, which was read:

Resolved, That the following named persons be and are hereby elected to the several positions set opposite their names:

Assistant Clerk—Frank Hoffman, of Hunterdon county.

Journal Clerk—Charles Sharp, of Warren county.

Assistant Journal Clerk—Lester Hawk, of Hunterdon county.

Supervisor of Bills—John C. Sweeney, of Hudson county.

First Assistant Supervisor of Bills—Bert Craig, of Warren county.

Second Assistant Supervisor of Bills—John Park of Hunterdon county.

Sergeant-at-Arms—John Welsh, of Hudson county.

First Assistant Sergeant-at-Arms—Otto Finke, of Hudson county.

Second Assistant Sergeant-at-Arms—Frank Cole, of Hunterdon county.

Bill Clerk—E. A. Tooman, of Hudson county.

Assistant Bill Clerk—V. Y. Schooley, of Hunterdon county.

Assistant to Clerk of the House—Clinton Kerr, of Warren county.

Doorkeepers—John Allen, of Hudson county; Edward Greene, of Hudson county; Edward Lance, of Warren county; John Dillon, of Hudson county; Charles F. Murphy, of Hudson county; Samuel J. Burns, of Hudson county; Henry Harris, of Hudson county; Patrick H. O'Neil, of Hudson county; Dennis Dunn, Jr., of Hudson county; John T. Sullivan, of Hudson county; Frederick Gassert, of Hudson county; Benjamin Bird, of Warren county; Richard Carrara, of Hudson county.

Gallery Keepers (Gentlemen)—Jerome Mayer, of Hudson county; Elber Hoffmann, of Hunterdon county; Albert Pittinger, of Warren county; Mansfield Lott, of Hunterdon county.

Gallery Keepers (Ladies)—Joseph McGirken, of Warren county; Edward Kearney, of Hudson county; John T. Daley, of Hudson county; Adrain Cook, of Warren county.

Pages—John McCormick, of Hudson county; Ferdinand Eibell, of Hudson county; Edward Le Gras, of Hudson county; John Malone, of Hudson county; Michael Fitzsherald, of Hudson county; Daniel Caperon, of Hudson county; William P. Swing, Jr., of Hudson county; Theodore Dorrs, Jr., of Hudson county; Milton Banburger, of Hudson county; Leon Behr, of Hudson county; James Daley, of Hudson county; Thomas Heriley, Jr., of Hudson county; Elmer Johnson, of Hudson county; George Keiss, Jr., of Hudson county.

Pages, with Postmasterships—Richard Donivan, of Hudson county; James Boir, of Warren county.

Roll was then called on the substitute resolution with the following result:

In the affirmative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

In the negative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—45.

Roll was then called on the original resolution with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—45.

In the negative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

The Speaker thereupon declared the resolution adopted, and the several officers elected.

The committee appointed to wait upon the Governor then reported that the Governor would communicate to the House later by message.

A message was received from the Governor by the hand of his Secretary, and was read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
TRENTON, January 10th, 1905.

To the House of Assembly:

I have the honor to transmit herewith the third annual message of the Governor:

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and General Assembly:

We have cause for thankfulness that the favor of the Almighty still blesses our beloved State. Peace and prosperity are ours. The merchant and manufacturer, the professional man and the farmer, and all who toil, have found reasonable reward for their labor, and the people are happy and contented. Unfortunately, the poor and afflicted we have always with us, but their condition as a whole is improving, and the ability and desire of those more favored to share their blessings with the less fortunate are, I am glad to believe, increasing.

I commend you to the reports of the various State officers and the boards of the many State institutions for information as to the condition and progress of the work of the State in its various lines. I earnestly ask the study of these various reports. Taken as a whole, they give a complete statement of the condition of the government of the State, and their understanding is essential to intelligent legislation.

The reports of the Treasurer and Comptroller show receipts during the year of $4,576,918.82, and disbursements of $4,587,637.01, and a balance on hand of $2,940,918.98. When it is remembered that a year ago the State received $480,000 from the United States Government for interest on Civil War bonds, and that this year there has been no sum of importance received from any special source, it is apparent that the income of the State from what might be described as its regular sources has been larger than ever before. There is no reason why the receipts from these sources should not increase year by year. Taxes are bound to increase with the increasing valuations upon property, and while there will be times of business depression, when new enterprises are held in abeyance and the fees from the incorporation of new companies will be lessened, and the receipts from that source must in the necessity of business rise and fall with the condition of business, there is no occasion for alarm, if from time to time the receipts from those sources should show some diminution. But the Corporation law of New Jersey is upon the whole believed to be so wise, its various sections have been so fully passed upon by the courts, and it so generally meets with the favor of those who have occasion for its use, that there is little cause for doubt that the law of this State will in the future, as in the past, be regarded as the most desirable for those who wish to do business upon a large scale. It may be said in commercial phrase that this part of the business of the State is being competed for by other States, who have largely copied our laws, and who are making an effort to obtain the business that comes to us. This competition has not been serious, nor in my opinion will it be as long as the Corporation law of New Jersey remains, as now, a safeguard to all those interests it is intended to protect.

The financial prosperity of the State has been so great in recent years that the amount of extraordinary disbursements has become relatively large; but notwithstanding this the surplus has increased until it has reached the sum of $3,000,000. It may be that now and then a year will come when the expenditures of the State, as provided by the Legislature, will exceed the income from the State for that particular year, but it must be remembered always that the surplus is at hand to make good any deficiency, and that is the first and principal service of a surplus. We have too large a surplus to retain for this particular purpose. I have on former occasions expressed my opinion that this surplus should be used for the present needs of the State, some of them crying needs, and I reiterate all that I have said on that subject, and shall

have occasion later in this message to make some specific recommendations along those lines.

TAXATION OF RAILROADS.

The subject of the proper taxation of railroad property should receive the earnest attention of the Legislature. Many people sincerely believe that the property of these companies is not bearing its full burden of taxation, and, in response to a general demand, I appointed at the last session of the Legislature a commission to consider the subject of the taxation of all classes of property. This commission has held many sessions for the purpose of hearing suggestions of all kinds, and will shortly present its report. Meantime, both political parties in their platforms have demanded a change, and in my opinion the Legislature will be derelict in its duty if it does not seriously consider the present situation and act upon it. Important interests are involved, however, and must not be overlooked, and the first duty of the Legislature is to protect the income of the State. The State's revenue, for which the money annually received from railroads has been the chief reliance; the rights of property, including the chartered rights of the railroads themselves, and the burdens of the municipalities, must all be kept in mind. In my opinion nothing should be done which will decrease the revenue now received by the State from this source, or divert any of that revenue to the local municipalities. Care also should be taken in the framing of any remedial legislation, that the requirements of the constitution are observed. The difficulties heretofore experienced in enacting laws to tax railroad property that will square with constitutional mandates will, I am sure, make you alive to this feature of the subject.

MANAGEMENT OF STATE INSTITUTIONS.

It is the policy of the State to have its various institutions managed by non-partisan boards of managers, who give the State their time and the benefit of their judgment without compensation. As a rule these boards are composed of citizens who have no desire for public office, especially for paid office, but who wish to contribute something of their time and service to the benefit of

their fellow-citizens. This service is often rendered at personal inconvenience, but it is cheerfully given, and by it the charitable and philanthropic enterprises of the State are cared for. Not only so, but what is perhaps more important, a large number of intelligent and patriotic citizens are in this way brought into practical sympathy and touch with the government of the State, to the great advantage of themselves and the people they serve. I fear their reports are not always as carefully read as they should be, nor do their recommendations always receive the consideration they are entitled to. I bespeak for them all the careful attention of the Legislature and a close inquiry into the needs of the institutions they represent.

STATE'S PRISON.

The Legislature at its last session appropriated the sum of $250,000 for the construction of an addition to the State's Prison. As there is insufficient room within the walls for the present prison, and as the act expressly states that the proposed addition is to be connected with the main prison by a tunnel, it was evidently the intention of the Legislature to have the addition built upon the land owned by the State adjoining the present prison property. The prison has been overcrowded for some time, and it was this fact that induced the Legislature to provide for its enlargement, but when the Board of Prison Inspectors came to examine the question, with a view to carrying out the desire of the Legislature, they came unanimously to the conclusion that the objections to the construction of the wing connected by a tunnel were so serious as to make it inadvisable to proceed, and they addressed a communication to me, signed by every member of the board, advising that, serious as the present situation was, where a prison built to accommodate eight hundred is forced to care for twelve hundred, and urgent as is the need for enlargement, any addition to the prison to be connected by a tunnel would be unwise.

After giving the matter some consideration, I was compelled to admit the wisdom of the action taken by the board, and so informed them. If it is the wish of the Legislature to add to the present facilities on the site now occupied, it is, in my judgment, necessary to do so without the construction of a tunnel. This could be done by taking the ground now occupied by the Arsenal and building a new Arsenal elsewhere. While this plan would add greatly to the expense, no better one has been suggested. It

is important in considering this question to have the Legislature understand that the prison is overcrowded very largely because first offenders, who should be sent to Rahway, and who cannot be accepted at the Rahway Reformatory because of its crowded condition, are of necessity sent to Trenton. More than forty-six per cent. of the present inmates of the State's Prison, in number amounting to five hundred and forty-six, are first offenders, who at the time of the commitment were between sixteen and thirty years old. Of these three hundred and seven were convicted of what may be classed as the lesser crimes, such as assault, assault and battery, larceny, &c., cases for which Rahway Reformatory was established, and which that institution should be enlarged to accommodate. If sufficient provision was made at Rahway the necessity of any enlargement of the State's Prison would disappear.

RAHWAY REFORMATORY.

The institution at Rahway, like the prison at Trenton, is overcrowded. Every cell is occupied, and a large number are quartered in the corridors. Need for immediate enlargement is urgent.

This institution was built to care for first offenders under thirty years of age. The original plan calls for a central building from which four wings radiate. Only one of these wings has been built, but the auxiliary buildings, the shops, the domestic building, &c., are on a plan to care for all the inmates when the four wings are completed. The idea of the institution is one of reform. The inmates are boys or young men. They are taught some useful trade, they spend a reasonable number of hours each day in school. They have a daily military drill, and they are carefully and constantly cared for. Out of the total number of inmates that have been paroled since the institution was opened, less than ten per cent. have had to be brought back. Of the fifteen who have been absolutely released, none have gotten into prison, so far as is known. When it is remembered that, of the prisoners sent to Trenton, eighty per cent. become permanent members of the criminal class, the beneficent work done at Rahway becomes apparent. It cannot be too highly commended. An additional wing, perhaps two, is urgently needed, and I hope will be authorized.

THE STATE HOME FOR BOYS.

The State Home for Boys, at Jamesburg, continues to do its excellent work. The managers are devoted, and it is largely

owing to their wise management that its success as a reformatory continues. The boys are educated, they are taught a trade, they live a wholesome life in the country, and most of them grow up to creditable citizenship. But this institution, like some others, is overcrowded, and the construction of an additional family building is needed.

STATE HOME FOR GIRLS.

In addition to the three institutions I have mentioned, the State Home for Girls should not be omitted in any statement of the excellent work the State is doing in its reformatory institutions. This particular institution has been the subject of criticism in the past, because of complaints of inefficiency (not to use a harsher term) of the management. Under a former superintendent, charges were made and investigated, and the management, apparently, was sustained. But so many reports came to me of the failure to accomplish the results for which the home was established, that I felt it important that a change should be made in the management. This I succeeded in accomplishing during the past year, and the results of the work, under the care of the present superintendent, have, I think, entirely justified the action taken. I visited this institution a short time ago, in my annual tour of inspection of the various State institutions, and was surprised and pleased at the condition of things. Not a single girl was under punishment. They all seemed happy and contented, and the atmosphere of the home was such as it ought to be. It may be confidently hoped that the results of its management in the future will be such as to retain the confidence of the people of the State.

STATE HOSPITALS AND OTHER INSTITUTIONS.

Another class of institutions are the great hospitals at Morris Plains and at Trenton, the Epileptic Village, at Skillman, and the Home for Feeble-Minded Women and Children, at Vineland. These institutions represent the charities of the State to the mentally afflicted. The inmates appeal to all for sympathy and for support. To maintain them in efficient condition is clearly our duty, and I hope that the time will never come in this State when money expended for their support will be begrudged by the people.

Very much in the same class is the new institution at Glen Gardner, authorized by the last Legislature, and now under con-

struction for the consumptive poor. I have already, in a former message, spoken of the necessity for this sanitarium. The management has been delayed in the prosecution of its work; first, by the failure of the Legislature to appropriate the money authorized by law a year ago last winter; and secondly, by necessity for careful investigation of the best methods of construction. It is only of late years that the cure of incipient cases of consumption has been found practicable, and I am informed that the best methods of treatment are not altogether settled. It was, therefore, necessary that in the erection of a hospital for these classes of cases that the most improved methods should be adopted. The board felt their responsibilities very keenly, and spent much time not only in visiting many of the recently-constructed institutions of the same kind, but in devising what they believed would be a sanitarium second to none in efficiency so far as its capacity goes. The contracts have been let and the buildings are under construction; it is hoped that they will be ready for occupancy by the coming summer. The sum appropriated, in my opinion, was not as large as it should be, and the sanitarium will be filled almost as soon as it is opened, but the Board of Managers have felt bound to carry out the intention of the Legislature, and have let their contracts so that the completed institution will be erected within the sum appropriated.

It may not be amiss at this time and in this place for me to call your attention to a feeling that seems to find some expression in the State, that these various charitable and reformatory institutions are costing too much money and that the Legislature must call a halt as to further appropriation. I earnestly beg of you not to let this idea settle in your minds. The expenses of the State for purposes of this kind have greatly increased, it is true, but the population of the State has increased also, and the relative percentage of cost is no more now than it was twenty years ago, when the State had less population. It must not be forgotten that, in the decade ending in 1900, the State of New Jersey increased more largely in population than any State east of the Mississippi river, and this increase brings of necessity larger State expenses in the administration of its public affairs and a distinctly larger appropriation for its charities. The care of the poor, the helpless and the mentally afflicted is a duty we cannot avoid and should not attempt to shirk, and I hope the day will never come when the Legislature of this State, or the people of this State, will hesitate to take care of the claims of its poor and its helpless. The cost is not to be considered; the duty must be done, whatever the cost. The duty of the Legislature and the

duty of the Governor is not to see that these institutions are not enlarged in order to meet the necessities of the rapidly-growing population. That question, I hope, is settled. Their duty is to see that the affairs of these institutions are honestly and economically administered, that there shall be no extravagance, that two dollars shall not be spent where one dollar is sufficient, and that every dollar expended by the State shall yield the largest possible dividend in results. I think if the members of the Legislature would take the trouble to visit these institutions and see the magnificent work they are doing, they would have what is doubtless their present point of view greatly strengthened. There are some things more precious than money. Do not, in a great and rich State, let the question of cost interfere with the management and, where necessary, the enlargement of the institutions of the State, the conduct of which is imposed upon us as a sacred duty.

Let me say one thing more. I understand the great labors of the Appropriation Committee. They take more time, and the members of that committee devote more service, than any other committee of the Legislature, but I have sometimes thought that they erred in not making a personal visitation to the various institutions of the State for which they are called upon to provide. It would be an excellent thing if that committee in a body could visit all these various institutions. There are not many of them, and a dozen days would be sufficient, but if it is found impossible for the committee to go as a whole, let me suggest that no appropriation be finally determined upon by that committee for any of the institutions of the State until at least one member of that committee has been charged with the duty of personal inspection.

DEPARTMENT OF LABOR.

The last Legislature gave much consideration to the revision of the law governing the Department of Labor. The age at which children go to work was raised to fourteen years, and many provisions were made providing for the efficiency of factory inspection, so far as regards sanitation, fire-escapes, and those ordinary comforts, which should everywhere be provided. Especial attention was given to that feature of the law concerning child labor, so that its provisions might be enforced. I was fortunate in securing the services of the present head of the department, and the results of his administration under the new law are such that the inspectors under him report fully as to their work; that the general factory conditions throughout the State, so far as they

affect the operatives, have been greatly improved; that what is technically known as child labor has practically disappeared, and to such an extent that I am told in some sections of the State night schools have been abolished. The children who formerly attended them now go to day school, because the law does not permit them to work. It may be that further experience will show where the law can be improved. Doubtless that will be so, and a higher standard will be made possible as improvements continue, but the present law, as it is, is a credit to the State, and it gives a relief and a benefit to the working classes that is most gratifying.

TENEMENT HOUSE COMMISSION.

Hardly second in importance to any law that has been recently passed is that providing for a Tenement-House Commission, with power to regulate the construction of new tenement-houses, and to require that those existing at present shall be modified, so as (at least) to come within certain reasonable requirements as to light and air. I commend to the Legislature the formal report of this commission, in their preliminary work of investigation, as disclosing a condition of living that would be unbelievable, if it were not vouched for by reliable men. Families huddled together in a few small rooms, in some cases without light, in many cases without ventilation, and in a still larger number of cases without proper sanitary conditions. All this is being done away with, and from this time on no tenement-house will be constructed in the State of New Jersey that does not provide a reasonable quantity of fresh air for every inmate, and where families may live their lives under wholesome conditions. I hope the members of the Legislature, every one of them, will read the report, which gives in detail the story of this excellent work.

BUREAU OF LABOR STATISTICS.

The Bureau of Labor Statistics is pursuing its work with intelligence and vigor. Under its efficient chief the reports which it issues on the condition of the various industries of our State have come to be accepted not only as authority by our own people, but by other States and the general government. It is a valuable and important department, and is doing excellent work.

VOTING MACHINES.

The last two Legislatures made substantial appropriations for the purchase of voting machines, which have been equitably distributed throughout the State. These machines give, as a rule. excellent satisfaction. Here and there, as is to be expected, some little criticism is made, but none that is serious, and the advantages over the old form of ballot are so great that I hope the policy of the State in this respect will be continued until every polling district is provided with a machine.

It may not be out of place for me to suggest to the Legislature at this time the advisability of amending the Election laws, so that voting shall cease at sunset. Some years ago such a law was passed and tried one year. At that time and for reasons altogether outside of that particular law, the party then in power was defeated, and some who were opposed to the law claimed that the result of the election was an expression of the minds of the people against the law. I thought then, and have always thought, that that view was incorrect. Election day is a holiday. There is no reason why the vote of every district should not be polled before sunset, and when it is remembered that most of the illegal voting is done after sunset. when wicked men may be brought into the northern part of the State from New York and into the southern part of the State from Philadelphia, there seems to me to be every reason why this amendment to the law should be adopted.

INCREASE IN THE APPROPRIATION TO THE SCHOOL FUND.

The continued prosperity of the State from a financial point of view justifies a consideration of the best use to make of the surplus income. I hold the opinion that the surplus in the hands of the Treasurer is too large. It is the result of the prosperity of the present years, and should be used to lighten the present burdens. In addition to certain needed extensions and enlargements of the public institutions, the State has established a policy of making an appropriation of thirty-five per cent. of the amount of the school tax to its various municipalities. This sum when received by the people may be used either in the extension of the facilities for public education or to decrease the present tax. It is universally conceded that no better use of the funds of the State can be made than to appropriate them to the cause of public

education. I assume, as a matter of course, that there will be no change in the policy of the State in this regard. The only question is as to whether the sum heretofore appropriated should be continued or whether it should be increased. I am of the opinion that the present condition of our finances justifies increasing the appropriation for this purpose to fifty per cent. of the total amount of the tax, and I earnestly commend this suggestior to the consideration of the Legislature.

A CONSTITUTIONAL CONVENTION.

It is now more than sixty years since there has been a Constitutional Convention in this State. Amendments were made by a vote of the people upon recommendation of a commission in 1875, and upon legislative resolution in 1897. Attempts have been made to effect other changes from time to time, but have failed. A representative body chosen by the people, with responsibility to the people alone, has not considered the whole subject of constitutional law since 1844. In that period the population has multiplied nearly five times, the relations of the State government to the Federal government and to the citizens have changed; business conditions have been revolutionized; legal methods are no longer the same; taxation is greater and more varied in application, and the State as our fathers knew it has altered in all respects. It is my belief that the time has arrived when a representative Constitutional Convention should be summoned, to give the people the opportunity to revise their fundamental law.

One obstacle to a convention has been the fear of smaller counties that a change might be made in senatorial representation. I do not think this would be done. Public opinion sustains the present system, and methods for protecting it are practicable, if there is doubt.

The New Jersey constitution, as amended in 1875, limits legislation to narrow bounds. The varied needs of State and local government have led to evasions of the restrictions, and confusion has arisen in laws of great importance. Appeals to the courts upon the constitutionality of laws are incessant, when they should be rare, and then only upon broad issues. The status of laws which affect the daily business of the people is left in doubt, and the courts are burdened with the construction of the acts which would, under a simpler system, be as easily under-

stood by the layman as the lawyer. The judicial system is acknowledged to be cumbersome and expensive, and the pressure of work causes delay and loss.

The share of the people in the State government might wisely be increased. The legislature should be entrusted with the enactment of laws which would meet the different needs of the municipalities, and the whole system should be made more elastic. The Legislature represents the people, and I am sure that an enlightened public sentiment would guide it in right paths if its power should be increased.

For these and other reasons, which will occur to you, I recommend that a convention to revise the constitution be called. A body chosen for that object only, representative in character, responsible to the people alone, and able to submit its conclusions to the vote of the State at once, is required by the conditions of State government and should be summoned to meet.

DIVERSION OF WATERS.

I recommend that measures be taken to prevent the diversion of the waters of this State to other States for domestic supply. I would suggest, also, that a limit should be placed upon the rights of both private and municipal corporations to exhaust the flow of rivers. My attention has been called to the subject by the condition of the Passaic river. From the headwaters of the Passaic, on the Pequannock river, the city of Newark has authority to draw at least sixty-five million gallons each day. Contractors at Jersey City have just completed works with a capacity of seventy millions. A corporation at Little Falls has works which now take several million gallons a day from the Passaic river at Paterson and other cities, and these works may be developed to take all the remaining discharge of the river at that point. The dry-weather flow of the river has gone below seventy million gallons a day, and only by an elaborate and costly system of storage reservoirs could the daily supply be maintained at two hundred million gallons a day.

It is apparent from these figures that the fresh-water flow of the Passaic river is being rapidly exhausted, and that a historic stream, beautiful, useful and necessary to the welfare of great communities is being destroyed. I am informed that it is now proposed to sell the Passaic's waters to a town or towns on Staten Island, New York. To add this diversion to that already made would be fatal to the river, and is against sound public

policy. The needs of our own municipalities for water-supply should be considered, but even these should be limited by consideration for the welfare of river navigation, sanitary conditions and adjacent property. The subject is of immediate importance to the Passaic river interests, but it would also be advisable to establish a policy which would safeguard the other rivers of the State.

STATE SEWERAGE COMMISSION.

The report of the State Sewerage Commission shows active work during the year, and commendable effort to aid municipalities in sewerage enterprise and safeguard the streams of the State from dangerous pollution. The suggestions and recommendations of the commission are in line with sound public policy, and are deserving of favorable legislative consideration. I would suggest that the State Board of Health should refer subjects which the State Sewerage Commission has power to deal with, to that body for action.

AUTOMOBILES.

I desire to call the attention of the Legislature to the necessity of a revision of the present law concerning the regulation of automobiles. That law was carefully considered by the Legislature when it was passed two years ago, and it is generally regarded as, upon the whole, perhaps the best law that has been passed by any State. The difficulty lies in its enforcement. The speed is limited on country roads to twenty miles an hour, but a large number of machines that are constantly used on the roads of the State have a speed of thirty or forty, or even fifty miles an hour, and they use it. In the cities the speed is limited to eight miles, and in certain other localities to varying speeds up to the highest limit. There seems to be an infatuation in the running of a machine that incites the driver to get the best possible out of it whenever he thinks he can do so with safety, and, notwithstanding a certain element of danger, the exhilaration of the sport is such that it seems to be impossible for him to resist the temptation to send his machine along at its utmost speed whenever he may do so without being arrested for violation of the law. Indeed, he forgets the law in the pleasure of the sport. The result is that horses are frightened, and women and children who are out for a pleasure drive have their enjoyment greatly

diminished, if not wholly destroyed, by the fear that their horses may run away because of the machines, and in many cases accidents happen which result in permanent injury, and much too often in loss of life. I understand perfectly well the attitude of the automobile driver. He thinks that there is little, if any danger, and he assumes that the people will get out of the way and that the road will be made clear for him by other vehicles, which, up to the time of the invention of his death-dealing machine felt that they had the right to the road. Hardly a day passes when the papers do not speak of some serious accident caused by the automobiles. It may be to the occupants, or to the helpless and frightened citizen, but death and accident are of daily occurrence. If the number of accidents from reckless automobile driving could be collected their number would be appalling, and I think it is not going too far to say that however alluring and interesting a sport may be, no one has a right to pursue it at the cost of permanent or fatal injury to others. I am informed by those who are qualified to know, that if the law were fully observed, and no machine was ever run at a speed to exceed twenty miles an hour, at least ninety per cent. of all the present accidents would be avoided. It seems to me, therefore, to be clearly the duty of the Legislature to provide for the strict enforcement of the law, which limits the speed to twenty miles an hour.

Fortunately, this can be done without the slightest difficulty. When the present law was passed, I suggested that the machines should be so geared that it would be impossible that the speed named could be exceeded. At that time I was informed that the power necessary to cause a machine to ascend the grades on our steepest roads was such as would cause them to make a much higher speed on the level, but improvements have been made so that a machine can be geared to attain a speed not to exceed twenty miles an hour and still have a reserve power which will take it up the steepest grade. I earnestly recommend, therefore, in the interest of a frightened and suffering humanity, that the present law be so modified that no machine shall be permitted on the roads of this State unless it shall be geared so as to make a speed higher than twenty miles an hour impossible.

The present law requires a license of $1 to operate an automobile in the State, and, having once paid the dollar, the privilege continues indefinitely. The number of licenses issued amounts to over seven thousand.

I think a license fee of $5 a year can be obtained without serious objection, and I suggest that the law be amended to re-

quire this, and that it be provided that the sum obtained from the sale of licenses to automobilists, which may easily reach upwards of $30,000 per annum, shall be expended on the improvement of the roads of the State under the supervision of the Commissioner of Roads, controlled, as far as he may think wise, by the requests of the automobile clubs of the State, and the sum expended on the roads from this source be in addition to any sum appropriated by the Legislature.

I think, also, that the examination of automobilists is not as thorough as it should be. A man who drives an automobile should be enough of an engineer to understand his machine, and better supervision for his more thorough examination should be made. It is important, also, that he should not only understand his machine, but should also know the law which governs the use of automobiles in the State, and I suggest, in the proposed amendments to the law, that the examination of the driver shall include his knowledge of the Automobile Law, as well as the construction and operation of his machine.

I understand perfectly well how much my suggestions as to speed limit will be objected to by those who have high-powered machines built for speed, or for speed contests. But the answer is swift. No pleasure is justified, nor will it be indulged in by humane persons at the cost of fatal injury to others. Let high-powered machines be built, and let them be run on tracks prepared for the racing. Let them be taken there and taken away by other contrivances, but let them be kept off the roads absolutely, and let the punishment for any infringement of the Speed Law be imprisonment for not less than thirty days, without any exception whatever. The Speed Law cannot be enforced as long as the penalty for infringement is a fine.

My official term is about to expire, and this is probably my last communication to you. My successor, fully qualified by long association with the government of the State, brings to the office the fine ideals of lofty purpose. Success attend him. If in the three years past all has not been done that was hoped for, much of permanent value has been accomplished that will be of lasting benefit to the people.

FRANKLIN MURPHY.

The Governor's message was then taken up, and read in full by the Clerk of the House.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the regular hours of meeting of this House, unless otherwise ordered, be 10:30 o'clock in the forenoon, and 3 o'clock in the afternoon, and 8 o'clock in the evening, when evening sessions are ordered.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the privileges of the floor be and the same are hereby extended to all ex-members of the House.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the rules of the last House of Assembly, as published in the Legislative Manual of 1904, be adopted as the rules of this House until further ordered.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Speaker be and he is hereby authorized to appoint a committee of three members of this House to be known as Committee on Rules.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That a committee of three be appointed to furnish bill-files and minute-files for the use of members and officers of this House.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That a committee of three be appointed by the Speaker to procure the attendance of clergymen to open the sessions of this House with prayer.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That four hundred copies of all bills be printed for the use of the members of the House and Senate.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Clerk of this House be and he is hereby directed to furnish one hundred copies of Members' Pocket Calendar, Legislature 1905, the same not to exceed in cost one dollar per copy.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That each member and officer of this House be furnished with five hundred "complimentary slips."

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Clerk of the House be instructed to furnish the members of the House and representatives of the press with files of the Senate and House bills, introduced and passed by title, printed on gummed paper in suitable form for pasting in the pocket calendar.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the same number of copies of the Governor's Message be printed as were printed of the Governor's Message last year.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn it be to meet on Friday morning next at 10 o'clock, and, when then adjourned, it be to meet on Monday evening next at 8 o'clock.

The following communication was received by the Speaker, and read by the Clerk:

SPARTA, N. J., January 8th, 1905.

Hon. J. Boyd Avis, Speaker of the House of Assembly:

MY DEAR SIR—I regret to announce the death Assemblyman Jackson R. Decker, of Sussex county.

Funeral services at his late residence, Sparta, N. J., Wednesday, January 11th, instant, at 1:30 P.M.

Respectfully yours,

W. E. Ross,

County Collector.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the number of copies of the Legislative Manual apportioned by law to the House of Assembly, be distributed by the Sergeant-at-Arms as follows: to each member of the House,

eighteen copies; to the Clerk, Assistant Clerk, Journal Clerk, Sergeant-at-Arms, Supervisor of Bills and Speaker's Private Secretary, each six copies; to the Assistant to the Clerk, Assistant Journal Clerk, the Assistant to the Journal Clerk and Assistant Sergeant-at-Arms, each four copies; to the Speaker's Assistant Private Secretary and the Bill Clerk, each three copies; to the Assistant Bill clerk, Assistant Supervisor of Bills, each two copies; to the clerks of committees, door-keepers, pages and legislative correspondents and reporters, each one copy.

The following communication was received by the Speaker and read by the Clerk:

STATE OF NEW JERSEY,
OFFICE OF THE COMPTROLLER OF THE TREASURY,
TRENTON, January 10th, 1904.

Hon. John Boyd Avis, Speaker of the House of Assembly:

DEAR SIR—I have the honor to inform you that the contract for the current printing of the Legislature during the present session has been awarded to MacCrellish & Quigley, of Trenton, N. J.

Very respectfully,
J. WILLARD MORGAN,
Comptroller.

The Speaker announced the names of the following gentlemen as members of the Inauguration Committee:

Messrs. De Cou, Miller, Taylor, Hildreth and Wildrick.

The Clerk then made the following announcement:

A meeting of the Joint Committee on Inaugural will be held in the Senate Committee-room immediately after the adjournment of the House.

The Speaker announced the appointment of the following committees:

STANDING COMMITTEES.

Agriculture and Agricultural College.

Shedaker, Gibbs, De Cou, Van Derveer.

Appropriations.

Robbins, Colby, Miller, Elvins, Willever.

Banks and Insurance.

Birkholz, Buck, Barber, Wright, Ernst.

Bill Revision.

Martin, Birkholz, Tillman, Marelli, Lange.

Boroughs and Borough Commissions.

Hunt, Fordyce, Gallagher, Heck, Wildrick.

Claims and Revolutionary Pensions.

Taylor, Van Derveer, Miller, Wright, Murphy.

Commerce and Navigation.

Gallagher, Coyne, Henry G. C., Scott, Alexander.

Corporations.

Dalrymple, Buck, Taylor, Coyne, Loveridge.

Education.

Colby, Hoagland, Marelli, Mabie, Mattheus.

Elections.

De Cou, Mills, Johnstone, Marelli, Boucher.

Federal Relations.

Layden, Kaiser, Hulse, Pearce, Murphy.

Game and Fisheries.

Gibbs, Hunt, Kaiser, Henry G. C., Loveridge.

Incidental Expenses.

Hulse, Jones, Duffield, Dalrymple, Ernst.

Judiciary.

Duffield, Robbins, Martin, Jones, Hamill.

Labor and Industries.

Pennington, Shedaker, Mills, Scott, Boucher.

Militia.

Fordyce, Shaw, Manners, Barber, Callery.

Miscellaneous Business.

Hildreth, Pennington, Scovel, Dalrymple, Lange.

Municipal Corporations.

Scovel, Lehlbach, Hulse, Layden, Duff.

Printed Bills.

Elvins, Birkholz, Reed, Hoagland, Decker.

Public Health.

Buck, Wilson, Henry F. C., Mabie, Riordan.

Railroads and Canals.

Baker, Henry F. C., Johnstone, Reed, Wildrick.

Revision of Laws.

Miller, Hildreth, Pennington, Shaw, Alexander.

Riparian Rights.

Shaw, Colby, Shedaker, Heck, Duff.

Stationery.

Lehlbach, Robbins, Fordyce, Henry G. C., Mattheus.

Towns and Townships.

Pearce, Manners, Tillman, Elvins, Willever.

Unfinished Business.

Wilson, Martin, Tillman, Vanderveer, Hamill.

Ways and Means.

Johnstone, Baker, Scovel, De Cou, Callery.

JOINT COMMITTEES.

Home for Feeble Minded Women.

Pearce, Birkholz, Marelli, Henry F. C., Boucher.

New Jersey Reformatory.

Martin, Tillman, Wright, Kaiser, Alexander.

Passed Bills.

Lehlbach, Baker, Barber, Gibbs, Loveridge.

Printing.

Hildreth, Pennington, Mills, Mabie, Callery.

Public Grounds and Buildings.

Kaiser, Dalrymple, Heck, Jones, Hamill.

Sanatorium for Tuberculous Diseases.

Robbins, Gibbs, Pearce, Taylor, Ernst.

School for Deaf-Mutes.

Hunt, Hildreth, Lehlbach, Wright, Willever.

Sinking Fund.

Fordyce, Gallagher, Coyne, Layden, Decker.

Soldiers' Home.

Miller, Shaw, Wilson, Henry G. C., Wildrick.

State Home for Boys.

Buck, Johnstone, Reed, Scott, Lange.

State Home for Girls.

Manners, Jones, Hoagland, Reed, Mattheus.

State Hospitals.

Henry F. C., Baker, Barber, Duffield, Murphy.

State Library.

Taylor, Mabie, Scovel, Hunt, Riordan.

State Prison.

Coyne, Wilson, Hulse, Scott, Duff.

State Village for Epileptics.

Layden, Vanderveer, De Cou, Manners, Hamill.

Training School for Feeble-Minded Girls and Boys.

Gallagher, Elvins, Mabie, Hoagland, Riordan.

Treasurer's Accounts.

Shedaker, Colby, Mills, Heck, Wildrick.

The Speaker also announced the following committees:

Rules.

Duffield, Dalrymple, Robbins.

Bill Files and Minute Files.

Lehlbach, Mabie, Heck.

Clergy.

Barber, Shedaker, Van Derveer.

The Speaker announced the appointment of William H. Albright, of Gloucester county, to be his Private Secretary, and Henry V. Bodine, of Gloucester county, to be his Assistant Private Secretary.

On motion of Mr. Duffield, the House then adjourned.

FRIDAY, January 13th, 1905.

At 10:30 o'clock A.M. the House met.

Upon calling the roll, the following gentlement answered to their names:

Messrs. De Cou, Hulse, Barber—3.

Mr. De Cou, Speaker *pro tem.*, in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening at 8 o'clock.

MONDAY, JANUARY 16th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. George C. Maddock, D. D., of Trenton, N. J.

Upon the calling of the roll the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—55.

Absent—

Messrs. Kaiser, Scovel, Willever—3.

The minutes of the last meeting were read and approved.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That all amendments introduced be either typewritten or written in ink in duplicate and entered in full upon the minutes of the House.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That two hundred extra copies of Assembly bills be printed for distribution.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the State Printer be instructed to mail to each member of the House, at his home address, at least one copy of each bill and resolution, both Senate and House, as soon as the same is printed.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Attorney-General be and he is hereby requested to advise, at his earliest convenience, the House of As-

sembly what action, if any, should be taken by it to fill the vacancies made by reason of the death of two members-elect of said House.

Mr. Duffield offered the following resolution, which was, on his motion, referred to the Committee on Rules:

Resolved, That two hundred copies of the amendments to the rules adopted January 26th, 1904, referring to bracketing and underscoring amendments, be printed for distribution among the members.

Mr. Ernst offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. James F. Fielder, a former member of this House from Hudson county.

Mr. Heck offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. James Meiser, a former member of this House.

Mr. Heck offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John Dupie, a former member of this House.

Mr. Duffield, on leave, introduced

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Layden, on leave, introduced

Assembly Bill No. 2, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' " approved January fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 4, entitled "An act concerning the construction of dams,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture.

The same gentleman, on leave, introduced

Assembly Bill No. 5, entitled "An act to prohibit the sale, by any person or persons, corporation or corporations, of any potable water from any river or stream, or other fresh water body within this state, to any person or persons, corporation or corporations of any kind without the bounds of the state of New Jersey,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 6, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved January fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Mr. Hildreth, on leave, introduced

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Mr. Heck, on leave, introduced

Assembly Bill No. 9, entitled "An act to repeal section one, article one, and to amend sections twelve and fifteen in article

three, section twenty-seven in article five and section forty-three in article six of an act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 10, entitled "An act to provide for the appointment of commissioners to examine into and report upon the advisability of the establishment of permanent forest parks by and in the state of New Jersey,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture.

Mr. Robbins offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Charles Wright, a former member of this House.

Mr. Robbins, on leave, introduced

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, eighteen hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 12, entitled "An act concerning roads,"

Which was read for the first time by its itle, ordered to have a second reading, and referred to the Committee on Agriculture.

The same gentleman, on leave, introduced

Assembly Bill No. 13, entitled "An act concerning sidewalks upon or along county roads,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Wright, on leave, introduced

Assembly Bill No. 14, entitled "An act to authorize religious corporations, which have heretofore acquired lands in this State on condition for burial or cemetery purposes, to convey the same in certain cases to the municipal corporations wherein they are situated for the uses and purposes of public parks, and to authorize such municipal corporations to receive, hold and maintain, and to embellish and improve the same for such uses and purposes,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 15, entitled "An act to authorize the conveyance to the 'mayor and aldermen of the city of Paterson' of certain lands heretofore granted by the state of New Jersey for cemetery purposes, and to authorize the said 'the mayor and aldermen of the city of Paterson" to accept and maintain the same as a public park or parks,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Birkholz, on leave, introduced

Assembly Bill No. 16, entitled "An act to authorize the transfer of certain parts of public parks, or open spaces, or any interests, easements, or rights of way therein, where the same may be required by any municipality for a water-supply, or other public uses,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Baker offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Charles R. Whitehead, a former member of this House.

Mr. Coyne offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. W. F. Hall, a former member of this House.

Mr. Pearce offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Jonathan Goble, a former member of this House.

Mr. Hildreth offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. William T. Stevens, a former member of this House.

Mr. Duffield, Chairman of the Committee on Judiciary, announced the appointment of Mr. James L. Schanck, of Essex county, as Clerk to that Committee.

Mr. Dalrymple, Chairman of the Committee on Corporations, announced the appointment of Mr. John H. McGuire, of Passaic county, as Clerk to that Committee.

Mr. Miller, Chairman of the Committee on the Revision of Laws, announced the appointment of Mr. Daniel S. Edson, of Cumberland county, as Clerk to that Committee.

Mr. Scovel, chairman of the Committee on Municipal Corporations, announced the appointment of Mr. William H. Tice, of Camden county, as Clerk to that Committee.

Mr. Baker, chairman of the Committee on Railroads and Canals, announced the appointment of Mr. Edward W. Kilpatrick, of Morris county, as Clerk to that Committee.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet on Tuesday morning next at 10:30 A. M.

Mr. De Cou, of the Committee on the Governor's Inauguration, made the following report:

The Joint Committee on Inauguration of Governor-elect Stokes hereby presents the following report:

The inaugural ceremonies will take place on Tuesday, the seventeenth instant, at twelve o'clock noon, at Taylor Opera House, Trenton, New Jersey, in the presence of the Legislature, the judicial and State officers.

The two houses of the Legislature will meet at their respective chambers at the usual hour and adjourn at 11 o'clock A. M., to meet upon the stage of the opera house at 11:30 A. M. They will organize upon the stage, where seats have been prepared for them. Those having been furnished with cards of admission to the stage are requested to be in their places by 11:30 o'clock A. M. The Sergeant-at-Arms of each house, with their assistants, will act as ushers on the stage. At 11:15 A. M. the Joint Committee on Inauguration, with the State officers who have been invited, will meet to escort Governor Murphy and Governor-elect Stokes to the opera house.

General Bird W. Spencer will be in charge of the opera house during the ceremony.

The following order of exercises will be observed:

1. Prayer by the Reverend Holmes F. Gravatt.
2. Administration of the oath of office by the Chief Justice.
3. Salute of seventeen guns at the State House grounds.
4. Delivery of the Great Seal by the Honorable Franklin Murphy.
5. Acceptance of the Great Seal by the Governor.
6. Introduction of the Governor to the President of the Senate by the Honorable Franklin Murphy.
7. Introduction of the Governor to the Senate and General Assembly by the President of the Senate.
8. Inaugural address.
9. Benediction by the Reverend Henry Collin Minton, D. D.

The Governor will hold a reception to the public in the Executive Chamber from three to five o'clock in the afternoon, and from half-past seven to nine o'clock in the evening.

Officers of the National Guard attending the evening reception are requested to appear in full dress uniform.

Joint Committees—

Messrs. Barton B. Hutchinson, J. Henry Bacheller and Samuel S. Childs.

Messrs. Thomas B. De Cou, Louis H. Miller, Herbert W. Taylor, James M. E. Hildreth, John A. Wildrick.

Mr. Duffield, on leave gave the following notice:

There will be a joint caucus of the Republican members of the Senate and Assembly, in the Assembly Chamber, immediately upon the adjournment of the House.

Mr. Duffield, on leave gave the following notice:

There will be a meeting of the Committee on Rules to-morrow morning at 10 A. M., in the rooms of the Committee on the Revision of Laws.

EDWARD D. DUFFIELD,
Chairman.

Mr. Lehlbach, on leave, gave the following notice:

Committee on Stationery will meet immediately after the close of this session.

F. R. LEHLBACH,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, January 17th, 1905.

House met at 10:30 A. M.

Prayer was offered by Rev. S. M. Studdiford, D. D., of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

Absent—

Messrs. Kaiser, Scovel—2.

The minutes of the last meeting were read and approved.

Mr. Duffield, on leave, introduced

Assembly Bill No. 18, entitled "A Further Supplement to an act entitled 'An act to regulate elections'" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title.

Mr. Duffield moved that the rules be suspended and that

Assembly Bill No. 18, entitled "A Further Supplement to an act entitled 'An act to regulate elections'" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,

Be placed on second reading without reference, which motion was carried.

On motion of Mr. Duffield,

Assembly Bill No. 18, entitled "A Further Supplement to an act entitled 'An act to regulate elections'" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 18, entitled "A Further Supplement to an act entitled 'An act to regulate elections'" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, under suspension of the rules, read for the third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker,), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Maibee, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate, without the official print, and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

WHEREAS, George H. Embree, Assemblyman-elect from the county of Union, departed this life on the second day of December, nineteen hundred and four, be it

Resolved, That a writ of election be issued out of the House of Assembly, directed to the voters of the county of Union, directing and enjoining them that they hold an election for member of the General Assembly of the State of New Jersey on the seventh day of February, nineteen hundred and five, to fill the term left vacant by the death of George H. Embree, and that the Speaker of the House of Assembly do sign said writ of election, and that notice of said writ of election shall be advertised in the *Plainfield Courier, Elizabeth Journal* and *Westfield Leader,* at least once before the time set for holding such election.

Mr. Duffield offered the following resolution, which was read and adopted:

WHEREAS, Jackson R. Decker, Assemblyman-elect from the county of Sussex, departed this life on the eighth day of January, nineteen hundred and five; and

WHEREAS, the county of Sussex will be, by reason of the death of the said Jackson R. Decker, left without representation in the One Hundred and Twenty-ninth Assembly of the State of New Jersey; therefore, be it

Resolved, That a writ of election be issued out of the House of Assembly, directed to the voters of the county of Sussex, directing and enjoining them that they hold an election for member of the General Assembly of the State of New Jersey on the seventh day of February, nineteen hundred and five, to fill the term left vacant by the death of Jackson R. Decker, and that the Speaker of the House of Assembly do sign said writ of election, and that notice of said writ of election shall be advertised in the *Sussex Register,* the *New Jersey Herald,* the *Sussex Independent* and the *Wantage Recorder,* at least once before the time set for holding such election.

Mr. Buck offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Thomas Trenchard, a former member of this House.

Mr. Wildrick, on leave, introduced

Assembly Bill No. 19, entitled "Supplement to an act entitled "An act respecting bridges,' " approved April tenth, one thousand eight hundred and forty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the House do now take a recess until 11:30 o'clock of this day, to meet at that time at the Taylor Opera House, and that when it then adjourn, it be to meet on Friday morning next at 10 o'clock, and when it then adjourn, it be to meet on Monday evening next at 8 o'clock.

TRENTON, January 17th, 1905,
STAGE TAYLOR OPERA HOUSE.

House reconvened at 11:30 A. M.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

Prayer was offered by Rev. Holmes F. Gravatt.

The oath of office was administered to Hon. Edward Casper Stokes by Chief Justice Gummere.

Governor Stokes then delivered the following address:

INAUGURAL ADDRESS.

Members of the Senate and General Assembly and Fellow-Citizens of New Jersey:

This ceremony is a repetition of many similar scenes.

Ninety times since independence was proclaimed has the oath of Governor been taken before assembled electors of New Jersey. Blessing has followed blessing in the intervening years, a bountiful prosperity is ours to-day and the future is rich with promise. From a feeble colony we have become a powerful commonwealth and a potent influence in the destiny of the nation. Serious then the task and solemn the duties he assumes who accepts this office at the hands of the people and asks the guidance of Almighty God in the work before him.

Happily, the way is not unknown.

The Constitution of our State wisely divides the powers of government into three distinct departments: legislative, executive and judicial. It provides that no person belonging to one of these departments shall exercise powers that encroach upon another. The functions of the Executive and the Legislature are

clearly defined. I believe the interest of good government demands that they should be kept clearly distinct. It is the duty of the Legislature to enact legislation. The Executive should not presume upon the Legislature in its functions, nor should the Legislature avoid its duty or shift its responsibility by assumed submission to executive will. As Governor of this State, I shall not assume the responsibility for the enactment of legislation. For that, Gentlemen of the Legislature, you must hold yourselves accountable to the people who elect you. This does not mean that we shall not co-operate. The Constitution provides that the Governor of this State may recommend to the legislative body such measures as will, in his opinion, conduce to the public welfare. I shall from time to time, as necessity arises, freely exercise that executive privilege. I shall at all times freely consult with the members of your body as to the needs of the people of the State and as to the character of the legislation which will best promote the prosperity and progress of our beloved commonwealth. In this exercise of our mutual duties honest differences of opinion will undoubtedly arise. It is well that they should. Discussion is a good thing and leads to wisdom and truth.

In the work before us let us remember that ours is a government by the people and for the people. The people have exercised their powers in selecting us as their agents; it now becomes our duty to justify their trust by administering the affairs of the State for the people and for them only. The more unanimous the choice, the greater—not our elation—but our responsibilities; the greater the trust, the greater the obligation. Let us avoid favoritism toward special interests. Let no cheap demagogy actuate our councils. Let our end be solely that of the public good.

STATE REVENUES AND BUSINESS COMPANIES.

The preservation and growth of State revenues upon sound and conservative principles is of great importance. The financial condition of New Jersey is well known. At the close of the last fiscal year the balance in the treasury amounted to $2,940,918.98. The ordinary receipts for the same year amounted to $4,302,370.61, of which nearly seventy-eight per cent., or $3,351,543.69, came from railroads and the business companies domiciled in our State. Of the entire income of the government, not a penny was contributed directly by the people, yet all of it was expended for their benefit and in their interest. The State is caring for the blind, the feeble-minded and the insane, supporting our prisons

and reformatories, educating the young generations, developing a magnificent road system, maintaining the State government and courts of justice, all of which would be a burden upon the taxpayers except for our present fiscal policy. Last year, out of every $100 expended by the State, $22 was given to the taxpayers, $6.50 for education, $30 for charities and corrections, $7 for militia, $6 for public roads, $5.50 for the courts, $2.50 for the veterans and $1.20 for agriculture. To this extent did the people draw benefits from the State Treasury without contributing thereto. To have raised last year, by direct taxation, the income of the State, would have imposed upon property a tax-rate of more than four-tenths, or nearly one-half of one per cent. To have raised the amount that comes from railroads and corporations alone would have imposed upon property a tax-rate of more than three-tenths of one per cent.

For years the policy of New Jersey in this respect has met with the approval of the people and has received the endorsement of both great political parties. Shall we then continue our present fiscal system, or shall we tax the people for the support of our State government, our courts of justice, our educational and humanitarian institutions, our prisons and good roads? There is little doubt that the public prefer the present method, rather than a system that would compel them to pay the present State income from their own pockets. Why this query? If this policy is to be continued, we must preserve the present sources of revenue as well as add new ones. We cannot maintain our revenues by destroying their source. We tax the business companies that incorporate in our State. A policy of taxation is not consistent with a policy of destruction; you cannot tax what you have destroyed or what you have driven from you.

The incorporations in one State for ten months of last year show a capital of $111,255,500; in another of $251,971,620; in another $285,553,700; in New Jersey $313,569,620. Our State is, therefore, by no means attracting all of the great moneyed interests seeking articles of incorporation. In addition to this, the recommendations of the Department of Commerce and Labor are the preliminary steps toward national incorporation, when capital will seek the protection of federal law rather than deal with forty-five different States. All these influences threaten the revenue of New Jersey. As her representatives, we should take cognizance of these tendencies and devise such legislation as will protect the interest of our taxpayers. Unsound legislation, for revenue only, should never be encouraged, but honest legislation which safeguards the rights of the public, and thereby attracts

capital and enterprise, and produces increased income, is New Jersey's aim.

New Jersey does not compete in any race for revenue between states where the inducement to incorporate is laxity of law.

The conservative character of her institutions, the honesty of her legislators, the unimpeachable integrity of her courts and the high standing of her bar, the fact that property and vested interests can be safely intrusted to her hands, are the inducements that have brought capital to this State. One of the business companies that filed its articles of incorporation here paid the State Treasury for that service alone $221,000, and has since been paying us annually $57,000. This same company could have gone to another State, secured a more liberal charter under lax laws for less expense and have done business in New Jersey by paying the small sum of $10.

Nor is it revenue alone that our State derives from these great enterprises. They bring us material prosperity and wealth. Many of them that have first filed their articles of incorporation in our State have subsequently located their factories and plants within our borders, bringing with them an army of employes who are among our most desirable and thrifty residents. One of these enterprises employs four thousand hands, another twenty-five hundred and others many thousands more.

In an age when various localities of our country are holding out inducements to secure the location of industries in their vicinity, the importance of our corporation laws in bringing manufacturing and other business enterprises to our State cannot be overlooked.

These great enterprises, as a rule, belong not to the few wealthy capitalists, but rather to a host of stockholders who, as small investors, own the majority of the stock. One of the business companies incorporated in this State, supposedly owned by a few capitalists, has seventy thousand stockholders, and three others have more than thirty thousand each. These stockholders in many instances are men of small means and small income, and in many cases women who seek these securities as an investment. New Jersey has a greater number of investors scattered throughout the country than has any other State. More persons have intrusted their savings, in the way of investments, to the Legislature and the courts of New Jersey than to any other State in the Union. This is a vote of confidence in us by the residents of other States and imposes upon us a special responsibility. To this extent do our laws affect the welfare of a greater number than do

those of any other Legislature. The interest of these persons, wards of our State by choice, should be carefully guarded.

Business methods change and the laws of government must keep pace with these changes in order to facilitate business progress and development. These great companies that are administered by the few but belong to the many, should be subject to such legal rules and regulations as shall insure the faithful administration of their affairs. The rights of the owner of a single share must be held as sacred as the rights of him who counts his shares by thousands. But the day of gigantic business companies seems to be on the wane. Companies with smaller capital are on the increase. Should not, therefore, changes be made in our laws to meet the requirements of these smaller organizations? New Jersey has never hesitated to amend her laws to meet new situations without doing violence to established rights.

The revenues of our State, her material wlefare, her good name and the interest of thousands of stockholders of the business companies now chartered under her laws demand constant and careful review of her acts of incorporation. If in any respect they are weak, let us make them strong; if they are burdensome, let us lighten the load; where experience shows they are wrong, let us make them right; if abuses have crept in, let us provide a remedy. Our legislation must not be allowed to lag behind the times. Let our laws upon this subject be such models of integrity, conservatism and justice as will attract capital, with full notice that here it will not be permitted to do wrong, but shall be safe and protected so long as it does right. New Jersey's example has been followed by her sister States, and apparently the Federal Government is about to do likewise. Let us take another step in advance and lead the way along the path of enlightened public sentiment on this important subject. I recommend the appointment of a commission to this end.

TAXATION.

The question of taxation is not a new subject of discussion. It is a problem that grows with civilization and becomes more acute as the demands of civilization increase the expense of government. The State should have but one object in levying taxes; that is, to raise money to maintain and administer the government, to protect the lives, liberties and property of the people. Equality of taxation in our State is the mandate of our Constitution, and if all property was assessed for taxes by uniform rules according to its

true value, all property, personal, real and corporate, would share equally in the expense of the government.

The platforms of both parties in the last campaign declared for equal taxation of all property, and for a revision of the present system of railroad taxation to correct whatever inequalities might exist. For purposes of taxation, railroad property has been divided, apart from franchises and personalty, into two classes, the main stem and the property used for railroad purposes outside of the main stem. The main stem is confined in some cases to a strip of land not exceeding sixty-six feet, and never exceeding one hundred feet, in width. This limitation was based upon the principle that this property was not subject to local tax and that it should not, therefore, be permitted to absorb to any considerable extent the real property of the municipality through which it passed. Railroad property outside of this main stem, known as second-class property, has, however, absorbed, and is still absorbing, part of the taxable realty of the several municipalities, and has long been recognized as a proper source of taxation for municipal purposes. With this principle recognized, this property should bear its equal share of muincipal tax burdens.

Equal taxation involves valuation as well as rate; "useless one without the other." When the valuation of second-class railroad property has, by a proper tribunal of review, been adjusted to the standard of the value adopted by the local assessors in each taxing district, there is no reason why it and the property of individuals should be taxed for the same purposes at different rates. Let the railroad tax law be amended so that second-class property be assessed at local rates. This recommendation is made, and can be properly made, only in the interest of the taxpayer. It should be carried out with an eye single to his benefit. I suggest, therefore, that in framing the statute, at the discretion of the Legislature, it be provided that the value of this property be certified by the State Board of Assessors to the various taxing districts in which the property lies, that this be added to the municipal ratables already ascertained, and that upon this aggregate valuation the local tax rate be struck. In this way, and not otherwise, will the taxpayer receive the benefit of a reduced tax rate and find relief to this extent from the increasing burdens of his annual tax bill.

RAILROAD MAIN STEM.

The main line of a railroad depends for its value upon its continuity from terminal to terminal. Property of this kind has value as a whole. Divide it and you destroy it. In estimating

the value of such property for purposes of taxation it should be valued as a whole. The separation of this property into sections or into real estate and franchises, does not conduce to the revenue of either the municipality or the State.

In any modification of the taxation of this class of railroad property, due consideration should be given to its effects upon the revenues of the State. Laws upon this subject have differed at different periods, but in all cases the income from this source has been converted into the State Treasury for State uses. How far the State can forego such revenue at the present time is a matter for legislative consideration. In recent years much of her income has been diverted to municipal uses. Some sections of our State are asking for the collateral inheritance tax; others are asking for the tax on insurance companies. The national government recommends incorporating business companies under Federal laws. These influences all tend to lessen the State's income. Under no pretext should the Legislature be induced to forego that income to such an extent that a State tax be unavoidable. To such a tax I am unalterably opposed. The people have been free from this burden for twenty-one years. Let us preserve this happy condition.

The main lines of railroads constitute a species of property particularly adapted to taxation by the State so long as the State needs the revenue. Railroads cannot move away; they are not confined to the limits of a single taxing district, but are the arteries of trade and traffic for the entire commonwealth.

Nor must it be forgotten in the modification of the present Railroad Tax law that its fundamental principles have been approved by our highest courts and that a change in those principles would open new legal questions to be afterwards determined and settled. When it is considered that the revision of the School law, in the preparation of which the best legal talent was consulted, was a subject of two adverse decisions by the highest courts, the desirability of avoiding such confusion in a modification of the Railroad Tax law is a truism that needs no defense.

Considerations of equality are fundamental and essential. Equality of taxation is favored by all, both as a matter of justice and as a constitutional requirement. Upon this subject the report of the commission to ascertain the facts will probably soon be placed before our Legislature. With these facts in possession it will be easy to determine what inequalities exist and to remedy the same with justice and fairness to all concerned. If there was

one thing decided by the last election it was that this matter should be thoroughly investigated and that this important subject should not be hastily and superficially considered, but that right, fairness and justice should prevail. The people ask nothing more than this, and they will be satisfied with nothing less. As Governor Abbett said in his message, in 1887, "It is just to make the railroad corporations bear equal tax burdens with individuals, but it is also just that individuals should be prevented from disregarding the law and evading the Constitution through the illegal action of local assessors. Equal burdens and equal rights for all—corporations as well as individuals—are the principles that should control our tax legislation."

No question is settled until it is settled right. The present tax laws of the State do not operate uniformly upon all property. The State Board of Taxation has declared time and time again that in many localities the tax laws were being deliberately violated by the assessment of property below its true value, in some cases as low as thirty-three and one-third per cent. The same authority has declared, what is a matter of common knowledge, that personal property to a very large extent escapes taxation. Under such a system the taxpayers have no protection, because there is no protection in a policy that is based upon violation of law. If all property were assessed according to the constitutional requirements, the average tax rate in this State would be less than one per cent. What is needed for the settlement of tax problems is less theory and more good, old-fashioned, ten-commandment honesty. The question of taxation cannot be settled piecemeal; it must be settled as a whole, and all kinds of property, real, personal and corporate, must pass muster before the reviewing tribunal.

EQUALIZATION COURT SUGGESTED.

Of the many abuses of our taxing system, I cite one illustration. In order to escape part of the county tax, some taxing districts have resorted to low valuations and have released from taxation almost all personal property. Under such a condition some counties are escaping their share of the tax burden as compared with others. The people of New Jersey are raising every year for school purposes, under the agency of the State, about $1,886,000. The amount that is to be raised by each county is determined by the proportion its taxable property bears to the

taxable property of the State. Those counties, therefore, which reduce valuation and allow property to escape taxation altogether, do not bear their fair share of this school tax. It is not a sufficient answer to say that ninety per cent. of the sum thus raised is returned to the county that raises it, because ten per cent. of the amount is put into the common fund for distribution, at the discretion of the State Board, to such counties as need assistance in the support of their schools. Unless, therefore, the property valuations throughout the State preserve some degree of uniformity, the several counties are contributing unequally to this common fund for the support of our schools. The remedy for this and similar evils would seem to be the reorganization of the State Board of Taxation with greater power; or, better, perhaps, the creation of a State Tax Court that would sit as a Court of Appeal in these matters, with equitable powers to remedy inequality in valuation and equalize the same, not only in the case of individuals and corporations, but in cases of appeal between taxing districts, and between counties where these are contributing to a common cause.

MUNICIPAL TAXATION.

Municipal taxation is one of the most important questions of the day. Municipal expenditure is increasing, and municipal burdens likewise. The expenditures in twenty-six cities in this State have increased in ten years from $12,717,202 to $22,314,-161, or seventy-five and four-tenths per cent., while the valuations have increased from $400,883,066 to $564,386,880, or only forty per cent. There are sixty-two taxing districts in the State where the tax rate is between two and a half and three per cent., fifteen where the rate exceeds three per cent. and six where the rate ranges from three and six-tenths to five and seven-tenths per cent. With government bonds netting less than two per cent., municipal bonds less than three and a half per cent., high-grade railroad bonds less than four per cent., and other property netting correspondingly low returns, such tax rates as I have cited exceed in some cases the earning capacity of the property against which they are levied. This is not taxation, but confiscation. Confronted with such rates as these, and harrassed every year by the fear of increased burdens, taxpayers, in self-defense, are concealing their property or placing it in non-taxable forms. This adds an ever-increasing burden upon real estate

which cannot escape, and is one of the causes of its depreciation in value.

There have been notable instances where cities have met this problem and solved it in a practical, if not a permanent manner. This has been by a fair valuation of property according to the constitutional mandate and a corresponding reduction in rate. For instance, the city of New York in 1902 assessed its ratables at true value and reduced the tax rate from 3.27 to 1.41. The city of Philadelphia reduced the rate from 1.85 to 1.50. Perth Amboy, in this State, went through a similar experience, reducing its rate from 2.37 to 1.77. Atlantic City did likewise, and reduced the rate from 3.35 to 1.47. The success of these movements has proven their wisdom. Property which, from a sense of protection, conceals itself from an exorbitant tax rate, is willing to come out of hiding and subject itself to a reasonable and fair rate. The result is that more property is discovered and added to the ratables. The revenue under a small rate is really greater than the revenue under a rate that induces property to concealment, while the individual's contribution is not larger than before.

The danger to the taxpayer in this remedy lies in the fact that he has no assurance that the low rate will be permanent, that it will not be raised on the basis of increased valuation. Here the State must come to the rescue. If a maximum rate for every taxing district in the State was fixed by legislative enactment, under this ægis of protection, property investors would seek New Jersey as a safe asylum. The Legislature of the State can very properly consider the wisdom of such legislation. The comptroller of the largest city in the country says that a rate of $1.50 a hundred is sufficient to meet the needs of any progressive municipality. If the maximum rate for every municipality in this State were fixed, at the outside, at $1.70 on the hundred, or lower, if possible, the difficulties of the burdensome tax rate and municipal expenditure would be largely solved. Every small property owner would be assured of the contribution he is to make yearly to the common good. Property would come out of hiding; the taxpayers and investors in municipal securities would all be interested in enforcing economy in municipal expenditures; the public mind on the question of individual taxation would be changed from a state in which it now winks at the dishonest evasion of taxes, to one in which it would insist upon their honest payment. The gain in public morality in this connection cannot be overestimated.

I would go even further than this. In 1898 the Legislature passed an act providing that the surplus money in the State Treas-

ury might be appropriated for the purpose of reducing the burdens of local taxation. For the first year, or perhaps the first two years, the distribution of this sum reduced the tax rate and lightened accordingly the burden of the taxpayer. At the present time the $970,000 distributed from the State Treasury for this purpose is used by municipal authorities for increased expenditures, while the taxpayer is called upon to contribute as much, if not more, than before. I would amend this act, and would provide that this distribution be limited to those taxing districts where it was used, not as a means for increasing expenditures, but as a means for reducing the tax rate proportionately to the amount of the contribution from the State. In this way economy in State expenditures, the increase in State revenue and the growth of the State surplus could be made to lessen the taxes of the property holders of New Jersey and attract industry and property to our commonwealth.

DEPENDENTS.

The work of the State in the care of its dependents grows in magnitude as it grows in importance. It is a duty which the government cannot neglect with justice or safety. Involved in this problem are questions of health, morals and finance. Defectives are objects of pity and sympathy; they are helpless and must have care. They are also dangerous to society and their increase must be prevented, if possible.

This work entails upon the State a vast expense, amounting last year to thirty per cent. of the State's disbursements. Ten years ago the expenditures for this purpose amounted to only eighteen per cent. of the total expenditures. In 1895 the expenses for this purpose were $424,377.63; last year $875,127.50, an increase of more than one hundred per cent. This does not include the growing expense of our prisons and reformatories. The State is now caring for 4,889 insane patients, 377 feeble-minded, 2,833 blind—a total of 8,099. In twenty years the number of insane has increased more than one hundred and thirty per cent., while the population of the State has increased only sixty-six per cent. Our hospital for the insane at Morris Plains has to-day a population of more than sixteen hundred, the limit of its capacity. In four years more, at the present rate of increase, it will have more than two thousand patients. The hospital at Trenton has a population of 1,249, and the limit of its capacity is

840. These conditions prevail, it must be remembered, notwithstanding the fact that we are building county asylums for the relief of our State institutions.

The situation confronting us in connection with this problem is appalling. This work must be continued in the interest of humanity and for the safety of the State, but some system should be devised by which present results can be more economically obtained, or the burden will soon overtax the capacity of the State.

Individuals, as well as the commonwealth, have a duty in this connection. The relatives of the unfortunate members of society should, so far as their means permit, assist in their maintenance and care. The tendency of the age is to shift this burden upon the State A signal illustration of this condition may be found in the fact that of the two thousand children brought to the attention of the State Board of Children's Guardians, nearly eight hundred were returned to the care of their parents. These otherwise would have been charges upon society. It is not unfair to assume that an equally large proportion of all the dependents now supported by the State and the counties could be cared for at the expense of their relatives, who owe a moral duty to the unfortunate members of the family that they cannot honorably shift. Certainly, the least the relatives of dependents can do is to contribute toward their support as much as it would cost to maintain them at home.

Under the present law the State cares for those unfortunates who have no established domicile. This number of exclusively State dependents is growing so rapidly, amounting now to four hundred, that it would seem as though a more careful investigation should be made to discover the actual residence of these dependents and a more stringent act passed to fix the responsibility for their care; otherwise the State will soon become a mere guardian for every irresponsible and apparently homeless dependent.

The third source of expense in this connection is the character of the State institutions built for the custody of these wards. State pride is always the cry on the part of those whose eyes delight in fine architecture and magnificent buildings. It is a kind of self-satisfying patriotism. This, however, should not be carried beyond the limit of the State's ability to pay. The best example the State can set for its citizens is simplicity and a wise economy in public expenditures. When the State has provided for the care of its unfortunates commodious, well-lighted and comfortable buildings, it has done its duty. One of our institu-

tions has cost the State at the rate of $3,000 an inmate; another at the rate of $1,000 an inmate. When it is considered that our citizens can be housed in their own homes at an expense of not more than $500 an inmate the uselessness of such expenditures for public institutions needs only to be stated to be acknowledged. Under our present law there is no business-like system that tends to secure the best results for the least money. The public institutions of the State are worth $12,000,000. Upon them, in the last ten years, we have expended $3,528,000. These expenditures have been made piecemeal, without any reference to a complete and consistent State policy.

New Jersey has one most commendable feature in connection with her public institutions—her boards of managers, consisting of our best citizens, serving the State without pay—examples of civic patriotism worthy of all praise. The work of these noble men and women cannot be too highly commended, and the freedom of their action and judgment in the work should not, in my opinion, be hampered or curtailed. It cannot be expected, however, that they should give all their time to the interest of the commonwealth or should act as sanitary engineers and architects and day by day watch the progress of public buildings. Their uncompensated services should have assistance. A Commissioner of Charities and Corrections, having at his command a State architect and a State sanitary engineer, could pass upon all proposed new buildings or additions to existing institutions, and serve the interests of economy and the interests of our State wards as well. Of the three and a half millions of dollars expended during the last ten years for this purpose, I believe one-fourth could have been saved by proper central supervision. Any private business with assets of $12,000,000 and expenditures of $1,311,000 annually, could not be successfully carried on without some executive department. Such an official as has been suggested could visit and receive reports from State institutions, investigate commitments of State wards and see that a proper standard be maintained in all institutions that in any way receive State funds. He should have as his advisory council the heads of our various institutions. The practical knowledge of such a council would insure New Jersey a system of charities and corrections, which, like her courts, would be regarded as exemplary. Fifty thousand dollars has been spent in architects' fees alone in the last three years. The proposed department could be maintained at a less expense annually than is incurred for architects

and would promote other economics as well as render important service to the unfortunate wards of the State.

FORESTRY.

Of New Jersey's resources none are more neglected and none more likely to add to her reputation than her woodlands, if properly cared for. We are just beginning to realize the importance of our forests, and the necessity for their preservation. They not only furnish timber and provide an important industry, but they beautify the country, temper the climate, hold the rainfall, fertilize the soil, furnish game preserves and conserve our water-supply, an indispensable factor in our rapidly growing and congested civilization. The woodlands of our State yield an annual product amounting to $4,182,537; they cover forty-six per cent. of the upland area of New Jersey, and for the most part they occupy soil that at present is adapted neither to grazing nor to tillage. These forests grew without the aid of man, and, as with all wealth provided by nature, we are most prodigal of the gift and neglectful of the heritage. Forest fires in two years destroyed timber worth nearly a half million, and the indirect loss from this source—the impoverishment of the soil and the effect upon the water-supply—is beyond calculation in dollars and cents.

The importance to human health and comfort of an abundant supply of wholesome water needs no recommendation. From all over the State we have reports of the increasing difficulty in obtaining water of a satisfactory quality and quantity for our municipalities, while the present supply is rapidly diminishing. The springs of our State are lower than they were fifty years ago. Our wells must be driven deeper from year to year. Brooks and rivers once living and flowing, no longer exist, and streams once considerable in size, are now, in the heat of summer, mere trickling rivulets. Rivers that once floated rafts of lumber with ease, are now so reduced in volume that they are no longer navigable, even by small boats. The menace of water famines, with all their inconvenience to urban population, and doubly so to farmers and stockmen, confronts future, if not present, generations. Forests are natural reservoirs in which is stored the water gathered from rain and melting snow, to be drawn upon as necessity demands. Without the woodlands the water rushes to the sea and no supply is held in reserve for the dry seasons. Every year the government is spending thousand upon thousands of dollars in deepen-

ing the channels of our streams that are again promptly filled with soil carried by the rainfalls from the treeless plains along the river banks. The same money expended in developing the forests along the streams and around the sources of their supply, would check the rush of water, save the soil that is now carried and deposited in the river channels and reduce to a considerable extent the necessity for the river and harbor appropriations.

The Geological Board of our State has made investigations concerning tree culture, covering the kind of trees best adapted to our soil, so that we have ample information for an intelligent treatment for our wooded and abandoned lands. Pennsylvania and New York have already established forestry reserves, New York owning about one and a half million acres, acquired both by purchase and by forfeiture under the tax laws, and Pennsylvania an area of seven hundred thousand acres, obtained by purchase and tax sales. The famous forest of Fontainebleau, in France, is growing upon soil originally no better than the wastes of South Jersey. It yields an annual income in forest products of $70,000, while it occupies territory no more extensive than Essex county, or about one-fourth that of Cumberland county. Experiments in forestry in Bergen county, for revenue, for the last eight years, show an annual return of five per cent. Twenty-five thousand dollars worth of timber has been cut and yet the forest is worth more than when the experiments began. The state forests of Europe provide revenue ranging from seventy cents to $3.50 an acre. Alsace Lorraine derives an income of $850,000 a year from this source; the Duchy of Baden, $667,000; the Kingdom of Wurttemburg, $607,000; the Kingdom of Saxony, $1,946,000. Every one of them is smaller than the State of New Jersey. This revenue is derived, not by depleting the forests, but by scientific cutting of the mature trees to make room for their younger and better companions. We have thousands of acres of land in this State, part of it mere brushland, part of it abandoned and waste, all of it unsightly, and all capable of growing trees that would beautify the landscape, afford attractive driveways, furnish places of recreation for the well, and health resorts for the sick, and be a source of income to our commonwealth. Much of this land can be purchased for $1 an acre, and in some cases can be obtained for taxes.

I suggest this subject for your consideration and recommend that within proper limits the State, by purchase or by condemnation, secure this waste and unprofitable land and develop it as forestry reserves. For some time, at least, the administrative

work in this connection could be performed with little or no expense by the State Board of Geological Survey, and our game wardens could act as fire wardens.

AGRICULTURE.

The population of our State and the contributing population in the near vicinity, amounts to about 7,000,000. This vast market for our products makes the agricultural interests of New Jersey of special value. The wealth of our farms, $190,000,000, with an annual product of $44,000,000, is worthy of encouragement by the State. Our appropriations for agricultural purposes have been wisely increased during the last ten years, and the State can well afford to make further investments for the encouragement and development of this resource. Farming has ceased to be a mere gift of nature—it requires the aid of science and skill. Other States have given special attention to education in this direction. Short courses in agriculture in the winter months have proved eminently successful. New Jersey can well follow their example. We have facilities at the agricultural college for a school of this character, where such instruction could be given to those engaged in agricultural pursuits as would add to the wealth and productiveness of our soil. "Knowledge is power" in the fields as well as in the office.

RIPARIAN LANDS.

Most of the riparian grants of our State have been disposed of in fee simple and are no longer State assets. Riparian rights yet in our possession are worth, perhaps, $5,000,000. Those rights, especially such as are located along the Hudson river, will grow in value with the growth of the country. Nature has fixed their limit. They cannot be multiplied and the business demands upon them are continually growing. If in the past the State had not parted with her rights in this respect, she would now have an immensely valuable asset and one that would be a source of perpetual revenue. If the policy of the past has been a mistaken one, let us at once correct it. The Legislature can provide that riparian lands shall no longer be disposed of in fee simple, but shall be leased on rentals which, at proper periods, shall be readjusted on a fair basis of increased value. Such readjustments

could be determined, in cases of dispute, by a representative of the State and a representative of the lessee, which would insure fairness to both parties. One riparian grant made twenty years ago is now assessed at a sum five times larger than was paid for it; another made ten years ago at $50 a foot front is now valued at $1,000 a foot front, and still another, made less than five years ago, is now held at many times its cost to the grantee. There are many similar instances. I submit that it is an unwise policy for our State to part with this valuable source of income.

The preservation and development of the resources and interests of our commonwealth are the legitimate functions of government. God has favored us in the past; let us prove worthy of His mercies in the years to come. "Righteousness exalteth a nation" and patriotism rather than partisanship should mark the administration of affairs. Such a policy tends to the public good, develops a spirit of civic pride and makes every citizen of the State feel that he has a direct and personal interest in the successful administration of her affairs. Good government is not only the desire of the people, but a just obligation imposed upon their officials. It demands that useless offices be abolished; that State boards, unnecessarily large, be reduced; that public officials render full service for the compensation they receive; that the system of abolishing fees in public offices, so auspiciously begun, be extended as far as possible throughout the State, and that a spirit of wise economy pervade our councils. The cry that the State is rich, even if true, does not justify the unwise or needless expenditure of a single dollar. The surplus in the treasury is not dangerous, nor, indeed, has it yet exceeded the proportions of a safe and necessary working balance; but whatever its amount, it belongs to the people, and should be prudently employed. The State of New Jersey will not be rich until it has sufficient money to provide school accommodations for every child in the State, to care properly for every State dependent, to complete the system of good roads, to pay necessary expenses of government and to relieve the people from the burdens of excessive taxation. To these ends and to the good of the people of this commonwealth I pledge my best energy and service.

Centuries ago, when Rome was at the height of her glory, embassies from all her provinces presented themselves before the Emperor to pledge their loyalty and allegiance. Gifts of various kinds they brought him. Costly ornaments wrought from the ores of the richest mines, products of the fields and forests and rare devices of industry and skill. The Emperor thanked the

embassies and expressed his gratification at the evidence their gifts afforded of the vast resources of their mighty empire. "But," he added, "I would that instead of these offerings you could have brought the hearts of your people, that with them we might build a nation bound together by the ties of love." Imperial rule is passing away. In our land no divine right marks the insignia of office; no hereditary line claims preferment; no regal hand guides the destinies of State. The people themselves choose their officials, as agents, to execute their will. But their obligations end not with the choice. Every citizen has his just responsibility in the work of good government and the faithful execution of the law. No administration can succeed without popular sympathy and support, and so, in the years to come, as I tread the wine-press of duty, I shall want and need as comfort and solace and cheer, the loyal, loving hearts of the people of this commonwealth.

Benediction by Rev. Henry Collin Minton, D.D.

The House then adjourned.

FRIDAY, January 20th, 1905.

At 10 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. Barber, Speaker *pro tem.*, in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening, at 8 o'clock.

MONDAY, January 23d, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. W. Strother Jones, D.D., of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—50.

Absent—

Messrs. Duff, Duffield, Elvins, Henry G. C., Johnstone, Loveridge, Mattheus, Scovel—8.

The minutes of the last meeting were read and approved.

The Clerk read the following opinion of the Attorney-General relative to the filling of the vacancies made by reason of the death of two members-elect from Union and Sussex counties:

STATE OF NEW JERSEY,
OFFICE OF THE ATTORNEY-GENERAL,
TRENTON, N. J., January 17th, 1905.

James Parker, Clerk of the House of Assembly:

MY DEAR SIR—Your favor of January 16th, calling my attention to a resolution of the House of Assembly, to the effect that "The Attorney-General be and he is hereby requested to advise, at his earliest convenience, the House of Assembly what action should be taken by it to fill the vacancies made by reason of the death of two members-elect of said House," was duly received.

In reply, I beg to state that, in my opinion, the provisions of the Constitution require the House of Assembly to issue writs of election to be delivered to the Secretary of State in accordance with section 137 of the Election Act, which in turn shall receive the attention by that officer and the other county officers whose duties are involved, that the law directs. The Constitution re-

quires that the House of Assembly, in the case of a vacancy, shall direct writs of election for supplying vacancies occasioned by death. This language is very much more mandatory in character than that used in regard to the Governor, who is authorized, but apparently not required, to issue such writs when similar vacancies occur during the recess of the Legislature. I think it is the plain intent of the Constitution that every county shall have at least one member in the House of Assembly, and, in the present situation, Sussex county is without such a representative. It is true that section 133 of the Election Act seems to leave some discretion with the Legislature in the matter, but I am of the view that the Legislature went beyond its power in undertaking, by that section, to leave the matter to the will of the Legislature in the case of a vacancy like those that now exist. I am not aware of any judicial precedent bearing upon the question, and, in the absence thereof, I feel compelled to advise the Assembly that it should obey the positive command of the Constitution and issue the writs of election.

Very truly yours,
ROBERT H. MCCARTER,
Attorney-General.

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to Mr. Maximilian Klein, of New York.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That the usual number of copies of the Governor's Inaugural Address be printed for the use of the House.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That Armond C. Brundage be and hereby is appointed a page.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 20, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or 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 assessment,'" approved May eighteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Gibbs, by request, on leave, introduced

Assembly Bill No. 21, entitled "An act to incorporate the borough of Laurel Springs, in the county of Camden,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Shedaker, on leave, introduced

Assembly Bill No. 22, entitled "An act to prohibit the use of automatic and repeating shot-guns in hunting game,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Which was read for the first time by its title.

Mr. Lehlbach moved that the rules be suspended, and,

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Be placed on second reading, without reference,

Which motion was carried.

On motion of Mr. Lehlbach,

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Lehlbach moved that the original copy of

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

In the Clerk's hands be used as the official print,

Which motion was carried.

On motion of Mr. Lehlbach,

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Was taken up, under suspension of the rules, read for the third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Manners, on leave, introduced

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Miller, for the Speaker, on leave, introduced

Assembly Bill No. 25, entitled "A further supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Martin, on leave, introduced

Assembly Bill No. 26, entitled "An act to regulate the practice of courts of law,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 27, entitled "An act to repeal an act entitled 'An act to prevent in certain cases the abatement of suits and reversal of judgments (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 28, entitled "An act to regulate the practice of courts of law,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 29, entitled "An act to repeal an act entitled 'An act respecting amendments and jeofails,'" passed November twenty-first, one thousand seven hundred and ninety-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hildreth, on leave, introduced

Assembly Bill No. 30, entitled "An act authorizing cities of this state which own or operate a system of water works for the supply of water to the inhabitants thereof or which may now or hereafter be engaged in the erection or construction of a system of water works for the purposes aforesaid, to acquire within or without the boundaries of said city rights of way for laying and maintaining water pipe for use in connection with such system of water-works,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Pennington, on leave, introduced

Assembly Bill No. 31, entitled "An act to establish the office of deputy register of deeds and mortgages in counties of this state in which the office of register of deeds and mortgages now exists or may hereafter exist,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Riordan, on leave, introduced

Assembly Bill No. 32, entitled "An act respecting sewers and sewer connections in incorporated towns of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Mr. Wright, on leave, introduced

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. F. C. Henry, on leave, introduced

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Alexander, on leave, introduced

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Taylor, on leave, introduced

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 37, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the pay-

ment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' " passed March thirtieth, one thousand eight hundred and eighty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 38, entitled "An act for the licensing of stationary engineers, for the protection of life and property against loss or damage from the operation of steam boilers or steam engines by incompetent persons,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

The same gentleman, on leave, introduced

Assembly Bill No. 39, entitled "An act to authorize cities in this state to insure their buildings,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 40, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,' " approved March fifteenth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

The same gentleman, on leave, introduced

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgage and other instruments,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet tomorrow morning at 10:30 A. M.

Mr. Lehlbach moved that the House take a recess of three minutes, which motion was carried.

House reconvened.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—50.

Absent—

Messrs. Duff, Duffield, Elvins, Henry G. C., Johnstone, Loveridge, Mattheus, Scovel—8.

Mr. Colby, on leave, introduced

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Elvins, Chairman of the Committee on Printed Bills, announced the appointment of Mr. Charles W. Justice, of Atlantic county, as Clerk of that Committee.

Mr. Lehlbach, Chairman of the Committee on Stationery, announced the appointment of Mr. Roy F. Anthony, of Essex county, as Clerk of that Committee.

On motion of Mr. Lehlbach, the House then adjourned.

TUESDAY, January 24th, 1905.

House met at 10:30 A. M.

Prayer was offered by Rev. Geo. N. Hertzog, of Cedarville, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

Absent—

Messrs. Duffield, Scovel—2.

The minutes of the last meeting were read and approved.

Mr. Mabie, on leave, introduced

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Layden offered the following resolution, which was read by the Clerk:

WHEREAS, A re-classification of mail matter on the reasonable basis of the service rendered is a matter of the greatest importance to the business interests of this commonwealth;

WHEREAS, An extension of the system of carrying merchandise in the United States mail would be of great benefit to, and is desired by, the people of this State; therefore, be it

Resolved, That the Senators and Representatives from this State in the Congress of the United States are hereby earnestly requested to use every effort to secure the quick enactment of legislation that will at once remedy the evils of the present system of mail classification, and will give to the American people the best merchandise post in the world.

Resolved, That we request our Senators and Representatives in Congress to support the bill prepared by the postal reform league, which bill provides for the consolidation of third and fourth class mail matter and the extension of the present parcel posts weight limit from four to eleven pounds, with minimum rate of five cents on pound parcel and maximum rate of twenty-five cents on eleven pound parcel.

Resolved, That a copy of this resolution be sent to the President of the United States, Postmaster-General and to our members of both Houses of Congress, and to Boies Penrose, Chairman of the Senate Post-office and Post-road Committee, and to Jesse Overstreet, Chairman of the House Post-office and Post-road Committee.

On motion of Mr. Lehlbach, the resolution of Mr. Layden was referred to the Committee on Federal Relations.

Mr. Elvins, on leave, introduced

Assembly Bill No. 44, entitled "An act to enable incorporated towns in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use and for the maintenance and operation thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Mattheus, on leave, introduced

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employees of paid fire departments in cities of the first class in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 46, entitled "An act to amend an act entitled

'An act concerning roads (Revision of 1874),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Ernst offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. James F. Fielder, a former member of this House, from Hudson county.

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Steven Egan, County Collector of Hudson county.

Mr. Lehlbach offered the following resolution, which was read and adopted:

WHEREAS, The time having come for the election of a Senator in Congress from the State of New Jersey to fill the full term of six years, commencing on the fourth day of March, 1905; be it

Resolved, That in accordance with the provisions of the Act of Congress relating to such election, the House of Assembly of the State of New Jersey do now proceed to the election of a Senator in Congress from the State of New Jersey for the full term of six years, commencing on the fourth day of March, 1905.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That nominations for a Senator in Congress from the State of New Jersey are now in order.

Nominations for United States Senator were then made.

Mr. Coyne nominated Hon. John Kean, of Union county.

Mr. Lehlbach seconded the nomination.

Mr. Hamill nominated Colonel Edwin A. Stevens, of Hudson county.

Mr. Ernst seconded the nomination.

The roll was then called for the election of a United States Senator with the following result:

For Mr. Kean—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—43.

For Mr. Stevens—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

Messrs. Duffield and Scovel were absent on account of illness.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock.

On motion of Mr. Lehlbach, the House then adjourned.

WEDNESDAY, January 25th, 1905.

House met at 10:30 A. M.

Prayer was offered by Rev. M. F. Johnston, of Hopewell, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Avis (Speaker), Barber, Colby, Coyne, De Cou, Elvins, Fordyce, Gallagher, Heck, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Lehlbach, Mabie, Manners, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Robbins, Scott, Shedaker, Taylor, Tillman, Wildrick, Wilson—31.

Absent—

Messrs. Alexander, Baker, Birkholz, Boucher, Buck, Callery, Dalrymple, Duff, Duffield, Ernst, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hunt, Layden, Loveridge, Marelli, Murphy, Reed, Riordan, Scovel, Shaw, Van Derveer, Willever, Wright—27.

The minutes of the last meeting were read and approved.

Mr. Miller, on leave, introduced

Assembly Bill No. 47, entitled "An act providing for the establishing and maintenance of an additional agricultural experiment station,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Lehlbach offered the following concurrent resolution, which was read and adopted:

Be it resolved (the Senate concurring), That the Senate and General Assembly of New Jersey meet in joint session on Tuesday, the thirty-first day of January, at 12 o'clock noon, for the purpose of electing a State Treasurer, a State Comptroller and a State Director of Railroads.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet on Friday morning at 10 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
Mr. Speaker: January 25th, 1905.

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

With amendments.

HOWARD L. TYLER,
Secretary of the Senate.

The Speaker then put the question, "Shall the Senate amendments to

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight, have a second readin?"

Which was agreed to.

The following Senate amendments to

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Were then placed on second reading:

Amend section one, line six, by inserting after the word "in" and before the word "the," the words, "at least four newspapers, if so many there be in said county, said advertising shall be published as nearly as may be equally in newspapers of the different political parties so as to afford the widest possible information to all voters of every political party, and shall be published as often as required by the writ of election."

Strike out in line six, section one, the words "the papers of the county."

Add new section, number two, as follows:

"2. The members of the boards of registry and election shall each receive ten dollars and no more for all services rendered under the provisions of this act."

Amend section two by making same section three.

The Speaker then put the question, "Shall the House concur in Senate amendments to

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Which was agreed to.

On motion of Mr. Lehlbach,

The Senate amendments to

Assembly Bill No. 23, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, eighteen hundred and ninety-eight,

Were taken up under suspension of the rules, and concurred in by the following vote:

Messrs. Avis (Speaker), Barber, Colby, Coyne, De Cou, Elvins, Fordyce, Gallagher, Heck, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Lehlbach, Mabie, Manners, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Robbins, Scott, Shedaker, Taylor, Tillman, Wildrick, Wilson—31.

In the negative—None.

Ordered, that the Speaker sign the said amendments, and that the Clerk carry them to the Senate and inform the Senate that the House of Assembly has passed the same.

Mr. Lehlbach offered the following resolution, which was read and adopted:

WHEREAS, The hour of 12 o'clock meridian, of Wednesday, the twenty-fifth day of January, 1905, having arrived, the time fixed by the Act of Congress, entitled "An act to regulate the time and manner of holding the election of Senator in Congress," for the members of the Senate and General Assembly to convene in joint assembly; be it,

Resolved, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber, for the purpose set forth in the said Act of Congress.

The hour fixed upon for Joint Meeting having arrived, the President and Senate being announced, the two Houses went into Joint Meeting.

Mr. Bradley made the following nominations:

Mr. Cross, as Chairman; Mr. Tyler, as Secretary, and Mr. Parker, Assistant Secretary, of the Joint Assembly,

Which was agreed to.

Under the direction of the Chairman, the Secretary of the Senate then read from the Journal of the Senate the proceedings relative to the election of a United States Senator, which took place in that body on Tuesday, January twenty-fourth, one thousand nine hundred and five, showing that John Kean had received fourteen (14) votes, and that Edwin A. Stevens had received six (6) votes.

Under the direction of the Chairman, the Clerk of the House of Assembly read from the Minutes of that body the proceedings relative to the election of a United States Senator, which took place in that body on Tuesday, January twenty-fourth, one thousand nine hundred and five, showing that John Kean had received forty-three (43) votes, and that Edwin A. Stevens had received thirteen (13) votes.

Thereupon the Chairman of the Joint Assembly made the following announcement:

The Senate and the House of Assembly having each respectively cast a majority of their votes for John Kean for Senator in the Congress of the United States, I do declare that John Kean is duly elected as Senator from the State of New Jersey in the Congress of the United States for six years, from March 4th, 1905.

On motion of Mr. Bradley, the Joint Assembly then arose.

The House was reconvened.

Upon the calling of the roll, the following gentlement appeared and answered to their names:

Messrs. Avis (Speaker), Barber, Colby, Coyne, De Cou, Elvins, Fordyce, Gallagher, Heck, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Lehlbach, Mabie, Manners, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Robbins, Scott, Shedaker, Taylor, Tillman, Wildrick, Wilson—31.

Absent—

Messrs. Alexander, Baker, Birkholz, Boucher, Buck, Callery, Dalrymple, Duff, Duffield, Ernst, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hunt, Layden, Loveridge, Marelli, Murphy, Reed, Riordan, Scovel, Shaw, Van Derveer, Willever, Wright—27.

The appointment of Armond C. Brundage, of Essex county, as a page was then announced by Mr. Lehlbach.

On motion of Mr. Lehlbach, the House then adjourned.

FRIDAY, January 27th, 1905.

At 10 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, Hulse and De Cou.

Mr. De Cou, Speaker *pro tem.*, in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening at 8 o'clock.

MONDAY, January 30th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rabbi Solomon Foster, of Newark, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

Absent—Colby, Coyne, Dalrymple, Scovel, Tillman—5.

The minutes of the last meeting were read and approved.

Mr. Elvins, for Speaker, on leave, introduced.

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 49, entitled "An act to prohibit the issuance, delivery, sale or gift of any ticket, pass, coupon or billet, or any other kind of token whatever evidencing a right or privilege in the recipient, vendee or any holder thereof to be carried on certain steam vessels or barges, at certain places in the state of New Jersey; and prohibiting the receiving of passengers or persons to be carried on certain steam vessels or barges at certain places in the state of New Jersey when such steam vessels or barges do not comply with certain specifications of plan and design in this act described, and making the doing of the aforesaid acts or any of them a misdemeanor,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 51, entitled "A supplement to 'An act defining motor vehicles, and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Reed, on leave, introduced

Assembly Bill No. 52, entitled "An act to authorize the construction of a sewer for the state home for girls,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on State Home for Girls.

Mr. Miller, on leave, introduced

Assembly Bill No. 53, entitled "An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

The same gentleman, for the Speaker, on leave, introduced

Assembly Bill No. 55, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of the same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 56, entitled "An act respecting sheriffs in counties of the first class in this state, and providing salaries for such officers, and respecting the fees and duties of such sheriffs,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 57, entitled "An act to incorporate the borough of Short Hills, in the county of Essex,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

The same gentleman, on leave, introduced

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 59, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of police justices in cities of the first class," passed May eighteenth, one thousand eight hundred and ninety-four,'" which supplement was approved March seventh, eighteen hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Martin, on leave, introduced

Assembly Bill No. 60, entitled "An act concerning corporations,"

Which were read for the first time by their titles, ordered to have a second reading and referred to the Committee on Corporations.

Mr. Duffield, on leave, introduced

Assembly Bill No. 61, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,' " approved March fifteenth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 63, entitled "A supplement to an act entitled 'An act concerning villages which have been or shall become separate from the township in which they were or are contained, and which have been or shall be given complete autonomy of local government,' " approved March twenty-eighth, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, on leave, introduced

Assembly Bill No. 64, entitled "A supplement to 'An act to prescribe the notice to be given of applications to the Legislature

for laws, when notice is required by the constitution,' " approved January twenty-sixth, eighteen hundred and seventy-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Pearce, on leave, introduced

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession' " which act was approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Birkholz, on leave, introduced

Assembly Bill No. 66, entitled "A further supplement to an act entitled 'An act against usury,' " approved March twenty-seventh, one thousand eight hundred and seventy-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hunt, on leave, introduced

Assembly Bill No. 67, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

The same gentleman, on leave, introduced

Assembly Bill No. 68, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Mills, on leave, introduced

Assembly Bill No. 69, entitled "A supplement to an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act relative to oaths and affidavits (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twelfth, one thousand eight hundred and eighty,' " and which amendment was approved March twenty-third, one thousand nine hundred,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Marelli, on leave, introduced

Assembly Bill No. 70, entitled "A supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Wilson, on leave, introduced

Assembly Bill No. 71, entitled "A supplement to 'An act to tax intestates' estates, gifts, legacies, devises and collateral inheritances in certain cases,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Mattheus offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Carl G. Schurmann, a former member of this House from the county of Hudson.

Mr. Fordyce offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Robert Carson, a former member of this House from the county of Middlesex.

Mr. Van Derveer, on leave, introduced

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships

(Revision, 1899)," ' " approved February twenty-sixth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, on leave, introduced

Assembly Bill No. 73, entitled "An act to relieve the capital stock of mutual loans and building associations, of the county of Monmouth, and the stockholders thereof, from double taxation,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn it be to meet at 10:30 A. M. Tuesday.

The Clerk read the following announcements:

There will be a meeting of the Committee on judiciary, at the rooms of the Committee, immediately after adjournment.

EDWARD D. DUFFIELD,
Chairman.

There will be a meeting of the Committee on Revision of Laws at 10 o'clock to-morrow morning.

LOUIS H. MILLER,
Chairman.

There will be a meeting of the Committee on Elections immediately after adjournment.

THOMAS B. DE COU,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, January 31st, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. H. C. Fox, D. D., of Freehold, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—51.

Absent—Boucher, Dalrymple, Henry F. C., Henry G. C., Manners, Riordan, Willever—7.

The minutes of the last meeting were read and approved.

Mr. Marelli offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Thomas Flynn, a former member and ex-Speaker of this House from Passaic county.

Mr. Buck offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Thomas F. Austin, a former member of this House from Cumberland county.

Mr. De Cou, Chairman of the Committee on Elections, reported

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Favorably with the following amendments:

Strike out the period after the word "election" in line eleven, section 1, and insert in lieu thereof a comma, and after the comma insert "provided, that nothing herein contained shall be construed to affect the election of any member of any board of education,

or school trustee, and all members of such boards of education and school trustees shall be elected or appointed at the same time and in the same manner as heretofore";

And after section eight a new section, as follows:

"9. This act shall take effect immediately";

Which amendments were adopted.

Mr. Loveridge, on leave, introduced

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Loveridge, on leave introduced

Assembly Bill No. 75, entitled "A further supplement to an act entitled 'An act to incorporate the town of Guttenberg, in the county of Hudson,'" approved March ninth, one thousand eight hundred and fifty-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Pennington, on leave, introduced

Assembly Bill No. 76, entitled "An act to amend an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" approved March thirtieth, one thousand eight hundred and eighty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Colby, on leave, introduced

Assembly Bill No. 77, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or 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,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Scovel, on leave, introduced

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

The same gentleman, by request, on leave, introduced

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,' " approved April third, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 80, entitled "An act to provide for the purchase by the state of New Jersey of the annotations to the general statutes of New Jersey and the annotations to the pamphlet laws of the state of New Jersey from one thousand eight hundred and ninety-six to one thousand nine hundred and five,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Coyne, on leave, introduced

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Colby, on leave, introduced

Assembly Bill No. 82, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' " approved March seventh, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 55, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of the same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

With committee amendment.

The following amendment to

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Was then read and adopted:

Strike out the period at the end of section two, insert a comma in lieu thereof, and after said comma add "or retained by such officer to his own use as the common council, or other governing body of such city, may by ordinance provide."

On motion of Mr. Gibbs,

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller, for the Speaker,

Assembly Bill No. 55, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of the same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Was takn up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

The House then took a recess from 11:30 o'clock A. M. to 11:55 o'clock A. M.

House reconvened at 11:55 o'clock A. M.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—51.

Absent—

Messrs. Boucher, Dalrymple, Henry F. C., Henry G. C., Manners, Riordan, Willever—7.

Mr. Duffield offered the following resolution, which was read and adopted:

WHEREAS, The hour of twelve o'clock noon having arrived, the time fixed for the joint meeting of both houses of the Legislature,

Resolved, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber.

The Clerk thereupon informed the Senate that the House awaited its presence in the Assembly Chamber.

The Sergeant-at-Arms announced that the Senate was at the door of the Assembly Chamber.

The Speaker thereupon directed that the President of the Senate and the Senators be conducted to the seats provided for them.

STATE OF NEW JERSEY,
ASSEMBLY CHAMBER,
TRENTON, January 31st, 1905.

At 12 o'clock noon, the Senate and General Assembly met in Joint Assembly in the Assembly Chamber.

Under the direction of the Chairman, Mr. Cross, the Secretary called the Joint Assembly, when the following members appeared and answered the call:

Messrs. Alexander, Avis, Bacheller, Baker, Barber A. N., Barber I., Birkholz, Boucher, Bradley, Brown, Buck, Callery, Childs, Colby, Coyne, Cresse, Cross, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Ferrell, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hillery, Hoagland, Horner, Hulse, Hunt, Hutchinson, Jackson, Johnstone, Jones, Kaiser, Lange, Layden, Lee, Lehlbach, Loveridge, Mabie, Marelli, Martens, Martin, Mattheus, McKee, Miller, Mills, Minch, Minturn, Murphy, Pearce, Pennington, Price, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Shinn, Strimple, Taylor, Tillman, Van Derveer, Wakelee, Wildrick, Wilson, Wright—76.

On motion of Mr. Bradley, the Joint Meeting then proceeded to the election of a State Treasurer.

Mr. Hutchinson nominated Frank O. Briggs, of Mercer county.

Mr. Ferrell nominated Benjamin F. Lee, of Mercer county.

Under the direction of the Chairman, the Secretary called the Joint Meeting, with the following result:

For Mr. Briggs were—

Messrs. Avis, Bacheller, Baker, Barber A. N., Birkholz, Bradley, Brown, Buck, Colby, Coyne, Cresse, Cross, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Hildreth, Hillery, Hoagland, Horner, Hulse, Hunt, Hutchinson, Jackson, Johnstone, Jones, Kaiser, Layden, Lee, Lehlbach, Mabie, Marelli, Martin, McKee, Miller, Mills, Minch, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Shinn, Taylor, Tillman, Van Derveer, Wakelee, Wlison, Wright—57.

For Mr. Lee were—

Messrs. Alexander, Barber I., Boucher, Callery, Childs, Duff, Ernst, Ferrell, Hamill, Lange, Loveridge, Martens, Mattheus, Minturn, Murphy, Price, Riordan, Strimple, Wildrick—19.

Mr. Frank O. Briggs having received a majority of the votes cast, was declared duly elected for the term prescribed by law.

On motion of Mr. Bradley, the Joint Meeting then proceeded to the election of a State Comptroller.

Mr. Bradley nominated Mr. J. Willard Morgan, of Camden county.

Mr. Ferrell nominated Mr. James E. Nowery, of Camden county.

Under the direction of the Chairman, the Secretary called the Joint Meeting, with the following result:

For Mr. Morgan were—

Messrs. Avis, Bacheller, Baker, Barber A. N., Birkholz, Bradley, Brown, Buck, Colby, Coyne, Cresse, Cross, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Hildreth, Hillery, Hoagland, Horner, Hulse, Hunt, Hutchinson, Jackson, Johnstone, Jones, Kaiser, Layden, Lee, Lehlbach, Mabie, Marelli, Martin, McKee, Miller, Mills, Minch, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Shinn, Taylor, Tillman, Van Derveer, Wakelee, Wilson, Wright—57.

For Mr. Nowrey were—

Messrs. Alexander, Barber I., Boucher, Callery, Childs, Duff, Ernst, Ferrell, Hamill, Lange, Loveridge, Martens, Mattheus, Minturn, Murphy, Price, Riordan, Strimple, Wildrick—19.

Mr. J. Willard Morgan, having received a majority of the votes cast, was declared duly elected for the term prescribed by law.

On motion of Mr. Bradley, the Joint Meeting then proceeded to the election of a State Director of Railroads.

Mr. Bacheller nominated Charles Bradley, of Essex county.

Mr. Ferrell nominated Theodore B. Dawes, of Warren county.

Under the direction of the Chairman, the Secretary called the Joint Meeting, with the following result:

For Mr. Bradley were—

Messrs. Avis, Bacheller, Baker, Barber A. N., Birkholz, Bradley, Brown, Buck, Colby, Coyne, Cresse, Cross, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Hildreth, Hillery, Hoagland, Horner, Hulse, Hunt, Hutchinson, Jackson, Johnstone, Jones, Kaiser, Layden, Lee, Lehlbach, Mabie, Marelli, Martin, McKee, Miller, Mills, Minch, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Shinn, Taylor, Tillman, Van Derveer, Wakelee, Wilson, Wright—57.

For Mr. Dawes were—

Messrs. Alexander, Barber I., Boucher, Callery, Childs, Duff, Ernst, Ferrell, Hamill, Lange, Loveridge, Martens, Mattheus, Minturn, Murphy, Price, Riordan, Strimple, Wildrick—19.

Mr. Charles Bradley having received a majority of the votes cast, was declared duly elected for the term prescribed by law.

Mr. Bradley moved that when the Joint Assembly arise it be to meet on Tuesday, February thirteenth, at 12 o'clock noon, for the purpose of electing Commissioners of Deeds.

On motion of Mr. Bradley, the Joint Assembly then arose.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—51.

Absent—

Messrs. Boucher, Dalrymple, Henry F. C., Henry G. C., Manners, Riordan, Willever—7.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
January 31st, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following Senate Concurrent Resolution:

WHEREAS, It has been suggested that there is some conflict in the laws governing the use of voting machines and the laws pertaining to elections; therefore, be it

Resolved (the House of Assembly concurring), That the Attorney-General, the Secretary of State and the Chairman of the State Voting Machine Commission be designated a commission

to investigate and report if such such conflict exists and, if so, to advise the present session of the Legislature by bill, or otherwise, what remedies should be adopted.

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Miller, the Senate Concurrent Resolution was referred to the Committee on Judiciary.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet Friday morning next, at 10:30 A. M., and when it then adjourn it be to meet Monday evening next, at 8 P. M.

On motion of Mr. Duffield, the House then adjourned.

FRIDAY, February 3d, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, DeCou, Hulse—3.

Mr. Barber, Speaker *pro tem.,* in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening, at 8 o'clock.

MONDAY, February 6th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. E. Thompson, Burrville, Ocean county, N. J.

Upon the calling of the roll, the following gentlement appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—57.

Absent—Mr. Willever—1.

The minutes of the last meeting were read and approved.

Mr. Manners offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John Howe, a former member of this House, from the county of Essex.

Mr. Manners, Chairman of the Committee on State Home for Girls, reported

Assembly Bill No. 52, entitled "An act to authorize the construction of a sewer for the state home for girls,"

Favorably, without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 56, entitled "An act respecting sheriffs in counties of the first class in this state, and providing salaries for such officers, and respecting the fees and duties of such sheriffs,"

With the following amendments:

Amend section five, line ten, by adding at the end the words "or successors."

Amend section six, line four, by adding after the word "successor," the words "or successors."

Which amendments were adopted.

Assembly Bill No. 64, entitled "A supplement to 'An act to prescribe the notice to be given of applications to the Legislature for laws, when notice is required by the constitution,' " approved January twenty-sixth, eighteen hundred and seventy-six,

Assembly Bill No. 31, entitled "An act to establish the office of deputy register of deeds and mortgages in counties of this state in which the office of register of deeds and mortgages now exists or may hereafter exist,"

Favorably, without amendment.

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,' " approved April third, one thousand nine hundred and two,

With the following amendments:

Amend section one, line two, by altering the words "the court of chancery, it shall be lawful for his wife," so as to read, "any court of competent jurisdiction, it shall be lawful for the wife."

Amend same section, line three, by altering the words "legal business thereafter transacted," to read, "act thereafter performed.

Amend same section, line four, by striking out the words "unless married again," and by striking out the words "in law."

Which amendments were adopted.

Also the following Senate Concurrent Resolution:

WHEREAS, It has been suggested that there is some conflict in the laws governing the use of voting machines and the laws pertaining to elections; therefore, be it

Resolved (the House of Assembly concurring) That the Attorney-General, the Secretary of State and the Chairman of the State Voting Machine Commission be designated a commission to investigate and report if such conflict exists and, if so, to advise the present session of the Legislature by bill, or otherwise, what remedies should be adopted.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Favorably, without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Committee substitute for

Assembly Bill No. 2, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved January fourteenth, one thousand eight hundred and ninety-eight,

And

Assembly Bill No. 25, entitled "A further supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'"

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Assembly Bill No. 55, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of the same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Correctly printed.

Mr. Colby, on leave, introduced

WHEREAS, A strong and urgent sentiment is growing counter to the general practice of municipalities granting to public utility corporations perpetual and unlimited franchises, and without proper compensation to said municipalities for such grants; and

WHEREAS, The general principle upon which such grants are made is fundamentally wrong in theory and fact, and is so recognized by the best authorities upon municipal government and administration; and

WHEREAS, This problem, vital as it is to the welfare of every community, should receive the most careful consideration of the people's representatives in legislative session assembled; now therefore, be it

Resolved (the Senate concurring), That pending possible legislation and the final, fair and equitable adjustment of all interests involved, it is the sentiment of the Senate and General Assembly of this State, that all franchises granted in perpetuity to public utility corporations, are wrong in principle; anticipating conditions impossible to forecast, and depriving future generations of their just rights, and are therefore unfair and wrong, and in every respect contrary to public policy.

Mr. Duffield moved that the consideration of the resolution be postponed until February 14th, 1905, at 11 A. M., when it be made a special order of the day.

Which motion was carried.

Mr. Hulse, on leave, introduced

Assembly Bill No. 83, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this state to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hundred and ninety-nine, and to extend the provisions of said act to claims for county taxes,'" approved March twenty-ninth, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 84, entitled "An act authorizing the acquisition and maintenance by the state of New Jersey in conjunction with the state of Pennsylvania of toll bridges across the Delaware river and providing for free travel across the same,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Hamill, on leave, introduced

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 86, entitled "A supplement to an act entitled 'An act in relation to county expenditures,'" approved April second, one thousand eight hundred and seventy-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Birkholz, on leave, introduced

Assembly Bill No. 87, entitled "An act concerning cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 88, entitled "A further supplement to an act entitled 'An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals,'" approved April third, one thousand eight hundred and sixty-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Tillman, on leave, introduced

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Miller, on leave, introduced

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Soldiers' Home

Mr. Duffield, on leave, introduced

Assembly Bill No. 91, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize municipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and

eighty-one,' " which supplement was approved April seventeenth, one thousand eight hundred and eighty-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Scovel, on leave, introduced

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Duff, on leave, introduced

Assembly Bill No. 93, entitled "An act relating to the water supply of cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Elvins (for the Speaker), on leave, introduced

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,' " approved April first, eighteen hundred and eighty-seven,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Pennington, on leave, introduced

Assembly Bill No. 95, entitled, "An act to regulate the practice of embalming, burial and disposal of dead human bodies,"

Which was read for the first time by its title, ordered to have a second reading and referred to the Committee on Public Health.

Mr. Marelli, on leave, introduced

Assembly Bill No. 96, entitled "An act concerning negligence of employees,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

Mr. Taylor, on leave, introduced

Assembly Bill No. 97, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,' " approved April fourth, one thousand eight hundred and eighty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Soldiers' Home.

The same gentleman, on leave, introduced

Assembly Bill No. 98, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,' " approved April twentieth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Soldiers' Home.

The same gentleman, on leave, introduced

Assembly Bill No. 99, entitled "An act relating to unsafe and inadequate grade crossings in cities of the first class, providing for alteration, change or removal of such crossings, approaches thereto and of any canal or other obstacle to alteration or abolition of such crossings, and providing for maintenance of safe and adequate crossings, approaches thereto and of locks or other appliances used or built in such canal or canals, payment of the cost and maintenance thereof and granting power to condemn lands and appurtenances therefor,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Henry, F. C. (by request), on leave, introduced

Assembly Bill No. 100, entitled "An act to regulate fishing in Sandy Hook Bay, Raritan Bay, Staten Island Sound and tributaries thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

The same gentleman, on leave, introduced

Assembly Bill No. 101, entitled "An act to amend an act entitled 'An act to provide for the recovery of damages in cases where the death of a person is caused by wrongful act, neglect or default,' " approved March third, one thousand eight hundred and forty-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Ernst, on leave, introduced

Assembly Bill No. 102, entitled "An act to establish the rate of interest on arrears of taxes and assessments in municipal cities of the state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Callery, on leave, introduced

Assembly Bill No. 103, entitled "An act to authorize the re-improvement of certain public roads and streets in townships of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Jones, on leave, introduced

Assembly Bill No. 104, entitled "An act to provide for the auditing of the bills and accounts of public library trustees in cities of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Wright, on leave, introduced

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 106, entitled "A supplement to an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Mabie, the House concurred in the

Senate Concurrent Resolution No. 1, relating to voting machines,

On motion of Mr. Reed,

Assembly Bill No. 52, entitled "An act to authorize the construction of a sewer for the state home for girls,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 56, entitled "An act respecting sheriffs in counties of the first class in this state, and providing salaries for such officers, and respecting the fees and duties of such sheriffs,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 64, entitled "A supplement to 'An act to prescribe the notice to be given of applications to the Legislature for laws, when notice is required by the constitution,' " approved January twenty-sixth, eighteen hundred and seventy-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pennington,

Assembly Bill No. 31, entitled "An act to establish the office of deputy register of deeds and mortgages in counties of this state in which the office of register of deeds and mortgages now exists or may hereafter exist,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,' " approved April third, one thousand nine hundred and two.

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Alexander,

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins (for the Speaker),

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn it be to meet to-morrow morning, at 10:30 A. M.

The Clerk read the following announcements:

There will be a meeting of the Committee on Governor's Inauguration Tuesday, February 7th, at 10:30 A. M., in the committee-room.

THOMAS B. DE COU,
Chairman.

There will be a meeting of the Committee on Revision of Laws to-morrow morning, February 7th, at 10 A. M., in the committee-room.

L. H. MILLER,
Chairman.

There will be a meeting of the Committee on Public Health to-morrow, at 10 A. M., in the committee-room.

B. FRANK BUCK,
Chairman.

Mr. Gibbs moved that the rules be suspended and that the vote by which

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Was advanced to third reading be reconsidered,

Which motion was carried.

Mr. Gibbs moved that the rules be suspended and that

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Gibbs,

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Was taken up, read a second time, and Mr. Gibbs offered the following amendment:

Amend paragraph five by striking out all in said paragraph after the word "only" in line three, and inserting a period after said word "only" in said line three,

Which amendment was adopted.

On motion of Mr. Gibbs,

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

The Clerk read the following announcements:

There will be a public meeting of the Committee on Towns and Townships after this session, in the committee-room.

C. C. PEARCE,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, February 7th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. George W. Harrod, of Burlington, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—52.

Absent—

Messrs. Ernst, Gallagher, Hunt, Manners, Scovel, Willever—6.

The minutes of the last meeting were read and approved.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Assembly Bill No. 56, entitled "An act respecting sheriffs in counties of the first class in this state, and providing salaries for such officers, and respecting the fees and duties of such sheriffs,"

Correctly printed.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Committee Substitute for

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, eighteen hundred and ninety-eight,

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 44, entitled "An act to enable incorporated towns in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use and for the maintenance and operation thereof,"

Favorably, without amendment.

Mr. Robbins, by request, on leave, introduced

Assembly Bill No. 107, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish standard packages for cranberries,' " approved March twenty-third, one thousand eight hundred and eighty," which supplement was approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Pearce, by request, on leave, introduced

Assembly Bill No. 108, entitled "An act in relation to the appointment of criers of the different courts of the counties of this state and fixing the salaries for the same,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Miller, on leave, introduced

Assembly Bill No. 109, entitled "An act concerning the filling of vacancies in elective offices in cities of the third class,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Colby, on leave, introduced

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,' " approved March fourteenth, one thousand eight hundred and eighty,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 111, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,' " approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Scott, on leave, introduced

Assembly Bill No. 113, entitled "An act providing for the pensioning of policemen, their widows, orphans or dependent parents,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,' " approved May ninth, one thousand eight hundred and eighty-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 115, entitled "An act for the summary review of proceedings on suspensions, dismissal, retirement or reduction in rank of members of the police force or fire department in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 116, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 4, entitled "An act concerning the construction of dams,"

Favorably, without amendment.

Mr. Mattheus, on leave, introduced

Assembly Bill No. 117, entitled "An act to regulate the keeping of the records of municipal liens in cities of the first class,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

With the following amendments:

Interline in sixth line, between the words "proceeds" and "are," the word "thereof."

Strike out of line twenty the last three words, viz.: "signed by at," and out of line twenty-one the words "least one hundred taxpayers of the township."

Strike out in line twenty-nine, after comma, the words "a resident taxpayer of," and in line thirty the words "such township."

Interline in line thirty-one, between the words "township" and "at" a comma, followed by the words "or by at least one hundred taxpayers of the township."

Strike out of lines thirty-two and thirty-three the following: "at least one hundred taxpayers of the township,"

Which amendments were adopted.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Favorably, with the following amendment:

Sec. 3. By striking out in lines two and three the words "and chapter one hundred and fourteen of the laws of one thousand nine hundred and four,"

Which amendment was adopted.

On motion of Mr. Lehlbach,

Assembly Bill No. 56, entitled "An act respecting sheriffs in counties of the first class in this state, and providing salaries for such officers, and respecting the fees and duties of such sheriffs,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—50.

In the negative—None.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 7th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has approved the bond and oath of Frank O. Briggs, as State Treasurer, and the same is presented to the House of Assembly for its consideration.

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. H. A. Harvey, a former member of this House from the county of Essex.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 70, entitled "A supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, with the following amendments:

After section four insert a new section, as follows:

5. In case judgment shall go in favor of any defendant required by the terms of this supplement, the fees and costs paid by such defendant under sections two and four hereof shall be refunded by the county and shall be paid by the county collector, on certificate of the magistrate, to whom such fees and costs have been paid, provided the prosecutor of the pleas shall first approve the same.

Alter the number of the fifth section accordingly.

Which amendments were adopted.

Mr. Colby offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. James F. Fielder, a former member of this House from Hudson county.

On motion of Mr. Gibbs,

Asssembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hulse, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Wildrick, Wilson, Wright—43.

In the negative were—

Messrs. Avis (Speaker), Duffield, Hildreth, Van Derveer—4.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Gibbs then moved that the Clerk carry the bill to the Senate at once, which motion was carried.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 31, entitled "An act to establish the office of deputy register of deeds and mortgages in counties of this state in which the office of register of deeds and mortgages now exists or may hereafter exist,"

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purpose,"

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Assembly Bill No. 52, entitled "An act to authorize the construction of a sewer for the state home for girls,"

Correctly printed.

Mr. Taylor moved that the rules be suspended and that the vote by which

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Was advanced to third reading be reconsidered.

Which motion was carried.

Mr. Taylor moved that the rules be suspended and that

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Be placed back on second reading for amendment.

Which motion was carried.

On motion of Mr. Taylor,

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Was taken up and read a second time.

The following amendment, offered by Mr. Taylor, was read and adopted:

Strike out the words "or re-" on line three; strike out all of lines four and five in section two; strike out the comma and insert the period on line three in section two.

On motion of Mr. Taylor,

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 69, entitled "A supplement to an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act relative to oaths and affidavits (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twelfth, one thousand eight hundred and eighty,'" and which amendment was approved March twenty-third, one thousand nine hundred,

Favorably, without amendment.

The Clerk read the following announcements:

There will be a public meeting of the Committee on Boroughs and Borough Commissions Tuesday, February 14th, at 1:30 P. M., in committee rom. on

Assembly Bill No. 21, entitled "An act to incorporate the borough of Laurel Springs, in the county of Camden,"

T. E. HUNT,
Chairman.

There will be a joint meeting of the Committee on Boroughs and Borough Commissions on Tuesday, February 14th, at 12 o'clock noon, in the Senate committee-room.

T. E. HUNT,
Chairman.

There will be a public meeting of the Committee on Boroughs and Borough Commissions Tuesday, February 14th, 1905, at 1 o'clock P. M., on

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

T. E. HUNT,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 2:30 o'clock P. M.

Upon the calling of the roll, the following gentlement appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoadland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—49.

Absent—

Messrs. Baker, De Cou, Henry F. C., Hunt, Johnstone, Loveridge, Scovel, Tillman, Willever—9.

Mr. Fordyce offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon E. C. Hicks, a formerd member of this House from Middlesex county.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Favorably, without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

And

Assembly Bill No. 64, entitled "A supplement to 'An act to prescribe the notice to be given of applications to the Legislature for laws, when notice is required by the constitution,'" approved January twenty-sixth, eighteen hundred and seventy-six,

Correctly printed.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

With the following amendments, which were read and adopted:

In section one, line two, insert after the word "town" the word "village."

In section one, line seven, insert after the word "town" the word "village."

In section two, line three, insert after the word "town" the word "village."

In section two, line five, insert after the word "town" the word "village."

In section two, line nine, insert after the word "town" the word "village."

In section two, line fourteen, insert after the word "town" the word "village."

In section three, line four, insert after the word "town" the word "village."

In section four, line four, insert after the word "town" the word "village."

In section six, line one, insert after the word "dollars" the word "annually."

In section six, line four, insert after the word "dollars" the word "annually."

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 32, entitled "An act respecting sewers and sewer connections in incorporated towns of this state,"

Favorably, without amendment.

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Judge Shipman, of the county of Warren.

Mr. Duffield moved that the bond and oath of Frank O. Briggs, State Treasurer, be referred to a special committee of three (3) for examination, which motion was carried.

Which motion was carried.

The Speaker then appointed on the special committee Messrs. Duffield, Buck and Shedaker.

Mr. Duffield, on leave, introduced

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Martin, on leave, introduced

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Gallagher, on leave, introduced

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 123, entitled "An act for the establishment of forest park reservations by and in the State of New Jersey, and for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Fordyce, by request, on leave, introduced

Assembly Bill No. 124, entitled "An act concerning the granting of licenses to keep inns and taverns, licenses to sell vinous, spirituous and other strong liquors, and licenses to sell ale, strong beer, lager, porter, wine and malt liquors,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

On motion of Mr. Layden,

Assembly Bill No. 4, entitled "An act concerning the construction of dams,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Loveridge,

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Colby,

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli,

Assembly Bill No. 70, entitled "A supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mills,

Assembly Bill No. 69, entitled "A supplement to an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act relative to oaths and affidavits (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twelfth, one thousand eight hundred and eighty,'" and which amendment was approved March twenty-third, one thousand nine hundred,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gibbs,

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Riordan,

Assembly Bill No. 32, entitled "An act respecting sewers and sewer connections in incorporated towns of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Assembly Bill No. 44, entitled "An act to enable incorporated towns in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use and for the maintenance and operation thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 64, entitled "A supplement to 'An act to prescribe the notice to be given of applications to the Legislature for laws, when notice is required by the constitution,' " approved January twenty-sixth, eighteen hundred and seventy-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholp, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hulse, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wilson, Wright—37.

In the negative were—

Messrs. Alexander, Boucher, Callery, Ernst, Hamill, Lange, Matheus, Murphy, Riordan, Wildrick—10.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Pennington,

Assembly Bill No. 31, entitled "An act to establish the office of deputy register of deeds and mortgages in counties of this state

in which the office of register of deeds and mortgages now exists or may hereafter exist,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller, for the Speaker,

Assembly Bill No. 55, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of the same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Layden,

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Committee Substitute for

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10:30 A. M.

On motion of Mr. Duffield, the House then adjourned.

WEDNESDAY, February 8th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. George Story Meseroll, of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Barber, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Lange, Layden, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—37.

Absent—

Messrs. Baker, Birkholz, Boucher, Callery, Duff, Ernst, Gallagher, Hamill, Henry F. C., Hunt, Johnstone, Kaiser, Lehlbach, Loveridge, Manners, Mills, Riordan, Scovel, Wildrick, Willever, Wilson—21.

The minutes of the last meeting were read and approved.

A message was received from the Governor, by the hands of Mr. Gray, his Secretary, and was read as follows by the Clerk of the House:

February 8th, 1905.

To the Speaker and Members of the House of Assembly:

Under a resolution of the Legislature of the session of nineteen hundred and four, adopted March 24th, 1904, the Governor appointed a Commission to investigate the whole subject of the assessment and taxation of the property in this State—real, personal and corporate—and report at this session of the Legislature the result of its investigation, with such recommendations as said Commissioners shall deem proper. I have the honor to transmit to you herewith the report of said Commission, consisting of a majority report, two dissenting opinions and one supplemental report, with appendix and tables, for your consideration and action.

I beg leave to call your attention to the substantial unanimity of opinion among the members of the Commission as to the taxation of second-class railroad property, as to the valuation and taxation of all railroad property by a State Board, as to the creation of a State Tax Court for the equalization of values of all kinds of property and as to a maximum tax rate for municipalities.

Respectfully,
E. C. STOKES.

Mr. Duffield moved that the report transmitted with the Governor's message relative to assessment and taxation of the property in this State be referred to the Committee on Judiciary, which motion was carried.

Mr. Duffield moved that one thousand copies of the report of the Commission on Assessment and Taxation of the property in this State be printed, and that it be spread in full upon the minutes of the House,

Motion was agreed to.

REPORT OF COMMISSION ON ASSESSMENT AND TAXATION.

To Honorable Edward C. Stokes, Governor of the State of New Jersey, and to the Senate and General Assembly of said State:

GENTLEMEN—The Legislature, on the twenty-fourth day of March, 1904, adopted the following:

CONCURRENT RESOLUTION.

"*Resolved,* That the Governor of this State be and he is hereby empowered to appoint a commission, to consist of five persons, to investigate the whole subject of the assessment and taxation of property in this State, real, personal and corporate, and report at the next session of the Legislature the result of such investigation, with such recommendations as said commissioners shall deem proper," etc.

Pursuant to said resolution, Governor Franklin Murphy appointed as such commission Chandler W. Riker, Charles C. Black, Carl Lentz, Henry J. West and George T. Werts.

We, the said commissioners, do respectfully report:

That we duly met and organized by the appointment of Chandler W. Riker, Chairman, and Thomas B. Usher, Secretary.

That due notice was given of the first meeting of the commission, and of each and every subsequent meeting. That many public sessions were held in the cities of Jersey City, Newark and Trenton; that a personal view and inspection was had of the Hudson county water front, embracing the lands under water and those adjacent thereto.

All sessions of the commission were largely attended by representatives of various municipalities and corporations (especially railroad corporations), and at a session of the commission held

at the State House, in the city of Trenton, the Attorney-General appeared, at the request of Governor Murphy, and addressed the commission, acquainting it with the views of the State administration upon certain of the questions pending before the commission.

Notwithstanding the scope of the resolution authorizing the commission, its "investigations" were devoted chiefly (but not exclusively) to questions affecting or relating to the taxation of railroad corporations. This was due to the fact that the questions discussed before and submitted to the commission by the various parties appearing before it related mainly to the subject matter of railroad taxation. The discussion in this respect was exceptionally thorough and able on behalf both of the railroads and the municipalities, notably on behalf of Jersey City.

For the municipalities it was contended that under the present system of taxation an unjust, if not unconstitutional and illegal, discrimination and preference was made in favor of the railroad corporations.

For the railroads it was urged that while the system of taxation in this State and the rate established for railroad taxation may, as between the individual and the railroad, seemingly discriminate in favor of the latter, nevertheless the practical result, as between the private owner and the railroad corporation, is "equal taxation," in the sense that those words must be construed and applied under the language employed in our State Constitution.

The Constitution of this State (as amended in 1875) provides (Article 4, Section 7, Subdivision 12): "Property shall be assessed for taxes under general laws and by uniform rules, according to its true value." These are the only provisions in the instrument relating to taxation. The words "equal taxation" do not appear therein, nor in the resolution appointing the commission.

Complaints that the railroads were unduly favored induced the passage by the Legislature in the year 1884 of the act entitled "An act for the taxation of railroad and canal property." (P. L., page 142.) This is still the law, slightly modified, under which railroad corporations are taxed.

The law has been construed and explained by our courts; by the Supreme Court in the case of *Central Railroad Co.* vs. *State Board of Assessors, 19 Vroom, page 1,* and same case by the Court of Errors and Appeals, *19 Vroom, page 146.* It was a test case, representing a combination of thirty-four railroad corporations. In the Supreme Court the case was heard before Chief Justices Beasley (now deceased), Magie (now Chancellor), and Knapp (also now deceased).

It is apparent that the act of 1884 does seggregate or classify railroad and canal property for purposes of taxation into a class *sui generis.*

It was contended, among other contentions, by the railroads in the case mentioned that the act of 1884 was unconstitutional because railroad and canal property did not possess such distinctive peculiarities and characteristics as, under the Constitution, permitted it to be seggregated and classified for taxation as it was in the act of 1884. That the classification being illegal, and the Constitution providing that property shall be assessed for taxes under general laws and by uniform rules, according to its true value, the act of 1884 was special legislation, and consequently void.

This contention of the railroads was upheld by the Supreme Court, and the act of 1884 declared unconstitutional in an opinion by Chief Justice Beasley.

In his opinion the Chief Justice, in explication of the act of 1884, said: "The importance of this case is apparent. A large part of the revenues of the State derived from the taxes is involved, as well as one of the safeguards erected by the Constitution for the protection of property. Deeply impressed with this consideration, the court has given to the subject all the time, care and attention at its command.

"The questions to be decided take their rise in the statute passed in the year 1884, entitled 'An act for the taxation of railroad and canal property.' The principal provisions of this law, which are pertinent to the present purpose, are to the following effect:

"In the first place, it declares generally that all property of any railroad or canal company, not used for railroad or canal pur-

poses, shall be assessed and taxed by the same assessors, and in the same manner, and at the same rate as the taxable property of other owners in the same municipal divisions or taxing districts; that all property of any railroad and any canal property used for railroad or canal purposes, shall be assessed by a State Board of Assessors, who are required to ascertain the true value of all property used for railroad or canal purposes, of each railroad and of each canal company in this State, including its franchises, and to ascertain separately:

"1. The value of the main stem.

"2. The value of the real estate other than main stem, including road-bed and tracks, outside of the one hundred feet, all buildings other than depot buildings used for passengers, all water-tanks, water-works, riparian rights, docks, wharves and piers.

"3. The value of all tangible personal property.

"4. The value of the franchise.

"The term 'main stem' is defined to include the road-bed, not exceeding one hundred feet in width, with its rails and sleepers and depot buildings; and the term 'water-way' to include the towing-path and berme bank, and the term 'tangible personal property' to include the rolling stock, cars, locomotives, ferry-boats, all machinery, tools and other tangible personal property of any railroad company and the tangible personal property of any canal company. It is then provided that upon the completion of their valuation the Board shall compute the tax upon the entire assessed valuation of each railroad company and of each canal company, as ascertained by them; that upon such valuation each company shall pay for State purposes at the rate of one-half of one per cent. annually upon each dollar of valuation, and that said Board shall compute the same; each company shall also pay, in addition to said tax of one-half of one per cent., a tax at the local rate as fixed and assessed for county and municipal purposes upon other property in each taxing district, upon the valuation of its property in the several taxing districts, separately valued and assessed under the provisions of subdivision 2 of section 3 of the act, the last-mentioned rate in no

case to exceed one per cent. of the valuation of the property valued under the provisions of sub-division 2 of section 3 of the act."

The Chief Justice, anticipating the effect of the decision of the Supreme Court upon the finances of the State, said: "In arriving at our conclusion we have not overlooked the fact that for a long series of years the greater part of the revenues of the State have been derived from these two classes of corporations" (*i. e.*, railroads and canals), and further, in conclusion (page 22): "In leaving this subject it is proper for us (the Supreme Court) to say that every step leading us to the foregoing conclusion (annulling the Act of 1884) has been carefully examined. We are well aware, if the result thus reached by us should be finally sustained, of the very great embarrassment and confusion that would fall upon the financial affairs of the State. But believing as we do, we have felt constrained, no matter what the consequences may be, to pronounce such act (of 1884) to be unconstitutional and void."

The judgment of the Supreme Court was duly carried to the Court of Errors and Appeals (*19 Vroom, page 146*), and in that court, after most learned and elaborate argument by the ablest and most distinguished jurists of the State, the judgment of the Supreme Court was reversed and the constitutionality of the Act of 1884 upheld, the State being thereby saved from the "very great embarrassment and confusion" of its financial affairs that the Chief Justice conceded would happen should the decision of the Supreme Court be sustained by the Court of Errors and Appeals.

The opinion of the Court of Errors and Appeals was delivered by the late Chancellor Runyon (page 271), and the full force and effect of the decision of the Court appears, from the synopsis or syllabus preceding the report of the case, on page 146 (*19 Vroom*), as follows:

"1. The act 'for the taxation of railroad and canal property,' approved April 10th, 1884, is not in contravention of the provisions of the Constitution that property shall be assessed for taxes under general laws and by uniform rules, according to its true value.

"2. The constitutional provision does not take away from the Legislature the power of selecting the subjects of taxation, but it requires that all the members of the class selected shall be included in the taxing law, and that the rule applied thereto shall be uniform as to the whole of the class, and that the assessment shall be made at the true value of the property constituting the class; and if those requirements are answered by the law it is not in conflict with the constitutional provision.

"3. The constitutionality of a law which taxes a class of property separately is to be determined in the same way in which it would be determined if the property taxed were the only property in the State.

"4. The doctrine laid down in *Van Riper* v. *Parsons*, 11 *Vroom* that a law framed in general terms, restricted to no locality, and operating equally upon all of a group of subjects, which, having regard to the purposes of legislation, are distinguished by characteristics sufficiently marked and important to make them a class by themselves, is not a special or local law, but a general law, approved.

"5. Railroad and canal property has such characteristics, and therefore may be made the subject of separate legislation for the purpose of taxation.

"6. Being peculiar property, the method of valuing it must be peculiar. The machinery provided for the purpose by the act—a State Board of Assessors—is appropriate and such as is necessary.

"7. All taxes, whether levied for State, county or municipal purposes, are State taxes; they can be imposed by no other authority than that of the State, and the State appropriates the proceeds to whatever purposes it sees fit.

"8. If the legislative provision for taxation be not unconstitutional, the apportionment of the proceeds of the taxation cannot make it so.

"9. Under the act above mentioned, the taxes imposed are one tax, and the fact that under the act railroad and canal property pays less than its share of municipal or county tax as compared with other property, is no objection to the law.

"10. The act is not in contravention of the fourteenth amendment to the federal constitution.

"11. Corporate franchises are property, and are taxable as such."

The opinion of Chancellor Runyon embodies a historical review of railroad taxation in this State and is a clear dissertation on the subject of taxation in general. We insert herein portions thereof that seem appropriate to this report, viz:

"The judgments of the Supreme Court which are brought up for review by the proceedings in these cases set aside and annul, as being entirely void, the assessment and tax levied upon the respective defendants under the act 'for the taxation of railroad and canal property,' approved April 10th, 1884. (*P. L., p. 142.*) The ground upon which those judgments are based is that the act is in contravention of the constitutional requirement, adopted in the amendments of 1875, that 'property shall be assessed for taxes under general laws and by uniform rules according to its true value.' The act, after providing that all the property of any railroad or canal company, not used for railroad or canal purposes, shall be assessed and taxed by the same assessors, and in the same manner and at the same rate, as the taxable property of other owners in the same municipal division or taxing district, creates a State Board of Assessors to assess all the property of railroad and canal companies used for railroad or canal purposes, including their franchises, and directs that the Board shall ascertain the true value of such property, and that in so doing they shall ascertain separately, first, the length and value of the main stem of each railroad, and of the water way of each canal and the length of said main stem and water way in each taxing district; second, the value of the other real estate used for railroad or canal purposes in each taxing district, including the road-bed (other than main stem) water ways, reservoirs, tracks, buildings, water tanks, riparian rights, docks, wharves and piers, and all other real estate except lands not used for railroad or canal purposes; third, the value of all the tangible personal property of each railroad and of each canal company; and fourth, the value of the franchise. It then declares that the term, 'main stem' is to be held to include the road-bed not exceeding one hundred feet in width, with its rails and sleepers and the passenger depots, and

that the term 'water way' is to be held to include the towing path and the berme bank. It defines also the terms 'taxing district' and 'tangible, personal property' as used in the act. It provides that the State Board of Assessors shall be governed by the valuation of the local assessors, if lower than theirs, in ascertaining the value of the real estate used for railroad or canal purposes not included in the main stem or water way, and that the local assessors shall certify to the Board a description of the property of any railroad or canal company within their taxing district, both that which is not used for railroad or canal purposes and that used for such purposes, excepting the main stem and water way as defined by the act; also their valuation of those properties and the local rate of taxation for county and municipal purposes. If in any taxing district there should be several branch lines of railroads belonging to or controlled by one company, or operated under one management, the assessors are to designate one of them as main stem, and the others are to be treated as 'other real estate used for railroad purposes.' The Board are to compute the tax upon the entire assessed valuation of each railroad and canal company as ascertained by them, and the taxation is to be as follows: The company is to pay upon the valuation to the State for State purposes, one-half of one per cent. annually, and, in addition thereto, the local rate for county and municipal purposes on the valuation of the real estate other than main stem or water way that is used for railroad or canal purposes in the taxing districts; but such local rate is not to exceed one per cent. of such last mentioned valuation. The act provides that the sum of the estimates or computations for each company shall constitute the tax to be paid by it, and that if upon complaint the Board shall find that the amount of the State tax and local rate as limited in the act, combined, exceed the amount which the company would have to pay if assessed at and required to pay full local rates alone, then they shall reduce the whole tax to the amount which the company would be required to pay at the last mentioned rate; and in order to ascertain that amount (but for no other purpose) they may apportion the value of the franchise among the local taxing districts. Of the taxes assessed under

the act, the one-half of one per cent. is to be appropriated for State purposes, and the money received for tax on properties separately assessed in the different taxing districts is to be allotted to those districts, giving to each the amount derived from the property of each railroad or canal company therein. The foregoing are all the provisions of the act which it is necessary or important to state for the consideration of the question which is now before the Court.

"In this connection it will be proper to refer, briefly, to the history of the legislation other than such as is contained in special charters, by which taxes have been imposed upon railroad and canal companies in this State. By the act of 1866 (*Rev., p. 1150*), it was provided that all real and personal estate within this State, whether owned by individuals or by corporations (except such as was owned by corporations, which by their charters were expressly exempted from taxation), should be liable to taxation at the full and actual value thereof. The railroad tax laws of 1873 (*Rev., p. 1166*), after reciting that for the encouragement of railroad enterprise, laws creating and regulating railways in this State usually provide for the payment by them, in consideration of their charter privileges, of a fixed rate upon their capital stock or the costs of their works, in lieu of all other public impositions whatsoever, and that it was nevertheless intended that the property of such corporations, being largely acquired for or through the growth and extension of their prosperity, should contribute to the charges and expenses essential for municipal and county purposes, and that it was desirable in order to the avoidence of litigation and future dissatisfaction, that such municipal and county taxation should be authorized, and that it should be permanently fixed and regulated, provided that railroad companies occupying and using railroads in this State, whether as lessees or otherwise, should pay, upon the cost, equipment and appendages of their respective railroads, a State tax, after such rate of taxation as might have theretofore been fixed by law upon such companies, or in default thereof, after the rate of one-half of one per centum upon such cost; and that they should pay upon all the real property by them occupied, used or owned for the

purposes of their roads or otherwise, excepting the main stem or road-bed and track not exceeding one hundred feet in width, and excepting also a tract of land not exceeding ten acres, at the termini, a county and municipal tax for the benefit of the counties, townships and cities, respectively, where such real property was situated, after the rate of one per centum, upon a valuation thereof, and of all the improvements thereon, not by way of repairs, then or thereafter to be made. The act provided for the voluntary surrender, by any railroad company, of any privilege which it might claim of exemption under its charter, and for its acceptance, in lieu thereof, of the taxation provided by the act. That act was in force when the amendments to the Constitution were adopted, among which was the before-mentioned provision that the property shall be assessed for taxes under general laws and by uniform rules, according to its true value. It will have been seen that under the act of 1873, the property was assessed for taxes for State purposes not according to its true value, but according to its cost; and as to taxes for county and municipal purposes it was assessed upon valuation. The cost for the assessment of the tax for State purposes was to be ascertained by a return thereof, on oath or affirmation, by the president of the company to the Comptroller of the State, and the valuation for the assessment of tax for county and municipal purposes was to be fixed by a commissioner appointed by the Governor. The act gave an action to the State against the corporation for false return, in case the Comptroller should be dissatisfied with the return of the president. By the general railroad law (*Rev., p. 925*), passed in 1873, it was provided that the companies incorporated thereunder should pay to the State an annual tax of one-half of one per cent. upon the cost, equipment and appendages of their road, including the cost of their road-bed, and such other taxes as might be assessed, from time to time, by a general law applicable to all railroads over which the Legislature should have power for that purpose at the time of passing such law, and that they should be regularly assesed and pay tax for the value of their real estate (except the road bed, one hundred feet wide), and the improvements thereon, and their personal property as taxed at

the time when that act was approved, in the cities or city, township or townships wherein it laid, at the same time and rate, and in the same manner, and for the same purposes, and by the same person or persons, as the other taxes essessed in such cities or townships. The act of 1876 (*Rev., p. 1168*), provided that all railroad corporations and companies occupying or using railroads in this State whether as lessees or otherwise, liable to be taxed as such by a general law taxing railroads for State purposes, should pay an annual State tax upon the true value of such railroads and their equipments and appendages, at and after the rate of one-half of one per centum upon such value. The act contained a declaration (inserted, as it says, for the greater certainty) that it should not apply to or affect any county, municipal or local taxation whatever. The act provided for a return of the valuation by the president of the company, and for the review of the valuation, or for the making of an original one, if none should be returned, by a Board of Railroad Commissioners, and it gave to the company an appeal to a Justice of the Supreme Court from the decision of the commissioners. By the general canal law (*Rev., p. 936*), passed in 1877, it was provided that the companies formed under that act should pay to the State an annual tax of one-half of one per cent. upon the cost of their canals, including equipment, appendages and expenses; the amounts of the cost in each case to be ascertained by the annual statement of the president of the company, under oath or affirmation.

"Up to the time of the passage of the act of 1884, the General Railroad Tax acts of 1873 and 1876 (the provisions of the latter were expressly confined to the tax for State purposes), were recognized as valid and were enforced. The question of their constitutionality, however, was never brought to a judicial test. It was held in 1879 that under the act of 1876 railroad corporations were required to pay a tax for State purposes upon the value of their railroads and equipment and appendages. (*State, New Jersey Southern R. R. Co., pros.*, v. *Railroad Commissioners, 12 Vroom 235.* And that they were required to pay county and municipal taxes under the act of 1873. *State, Central Railroad Co., pros.*, v. *Mutchler, 12 Vroom 96*, and *State, Pennsylvania R. R. Co., pros.*, v. *Wetherill, Id. 147.*

"The act of 1884 covers both railroad and canal property. It fixes the same rate of taxation for state purposes which had previously existed for many years, but assesses it upon the valuation of all the property of the company used for its purposes, including the franchise, and provides for local taxation on part only of such property, as the general railroad tax law of 1873 did; and while that act fixed a rate of one per cent. for local taxation, the act of 1884 provides that the rate for local taxation shall not exceed one per cent.

"It will be seen that the act of 1884 introduced no novelty in railroad taxation, but that, on the conrary, the same method substantially of taxing railroad companies had existed from 1873, under the act of that year, which act was modified in 1876, merely in order thus to conform it to the constitutional requirement.

"The fact that railroad property, when the act of 1884 was passed, had been separately taxed under similar legislation, both for State and local purposes, for so many years, and that the validity of such legislation on the ground of unconstitutionality had not been brought to any judicial test, although immense interests in the hands of vigilant guardians had been annually affected by it, is an important circumstance in the consideration of the question now before the court, because so practicable and contemporaneous a construction of the constitutional provision, acquiesced in for so long a time under such circumstances, and one so clear and uniform, must have weight with the court in settling judicially the construction of the provision, if the construction were otherwise doubtful.

"The power of taxation is an essential inherent attribute of sovereignty. In our State government it is vested in the legislative department. It is unlimited in extent, except as it may be restrained by constitutional provision or irrepealable legislative contract. Of course, to be exercised legitimately, it must be exercised within the scope of governmental authority as limited and circumscribed in our policy. To exercise it outside of the sphere of such authority would be usurpation. It is the province of the judiciary to determine whether in any legislation submitted for its decision the constitutional restraints or limitations have been

disregarded or transcended. But, unless the legislation is found to be clearly in contravention of some constitutional provision, or to be outside the limit of governmental authority, the court will not annul it. With the policy or impolicy, justice or injustice of the legislation, irrespective of such constitutional considerations, the courts have nothing whatever to do.

"The prosecutors (the railroads) complain and insist that in the act of 1884 the constitutional restraints and limitations have been ignored and exceeded; that the property of railroad and canal companies has been seggregated, by arbitrary selection, for special and exclusive taxation and made to bear, practically alone, the entire burden of taxation to raise money for state purposes instead of its due proportion thereof only. And they insist that the legislation thus brought into question is in violation of the before-mentioned provision of the State Constitution that property shall be assessed for taxes under general laws and by uniform rules, according to its true value, and of the provision of the Federal Constitution that no State shall deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

"In the act under consideration the Legislature has separated for taxation not all the property of railroad and canal companies, but only so much of it as is used for the particular purposes of those corporations, and has imposed upon the property so separated a tax for State purposes and a tax for county and municipal purposes. The property of such companies not used for such special purposes is left to be taxed in the same manner as other like property. *The property separated, so far from being taken by mere arbitrary selection, is, all of it, so circumstanced by reason of the peculiar use to which it is put as to make it on that account a class by itself. To value and tax such property in the same way in which other property is valued would be unjust. To do justice to the companies, and in common fairness, not only must the main stem of a railroad and the waterway of a canal be each valued and taxed as a unit, but the other property used in connection therewith and for the same purposes must also be valued and taxed with reference to such use. To make a just valuation*

thereof, property used for railroad or canal purposes must be estimated with regard to its value for such purposes. For example: The true value, for purposes of taxation, of railroad cuts and embankment and canal locks is not their cost, but what they are worth in connection with the works of which they form part. This subject is well discussed and forcibly illustrated by Mr. Commissioner Hunt in delivering the unanimous opinion of the court in *People* v. *Barker, 48 N. Y. 70.* See also, to the same effect, the opinion of the United States Supreme Court in *State Railroad Tax Cases, 92 U. S. 575, 608* (1875), and in *Kentucky Tax Cases, 115 U. S. 321* (1885).

"This peculiarity of the property in question constitutes it a legitimate class for the purpose of taxation—a class which, in order to deal with it fairly in the matter of taxation, must be treated separately. In the leading case of *Van Riper* v. *Parsons, 11 Vroom 123,* it was held that a law framed in general terms, restricted to no locality and operating equally upon all of a group of objects which, having regard to the purposes of legislation, are distinguished by characteristics sufficiently marked and important to make them a class by themselves, is not a special or local law, but general law. See also *S. C., Id. 1, 8. Railroad and canal property has such characteristics, and the act under consideration extends* to and operates equally upon all such property. The law, therefore, is a general law. In *State Railroad Tax Cases, ubi supra,* it was said that railroads by themselves constitute a class for the purposes of taxation.

"The constitutional provision requires, not only that the assessment shall be under general laws, but that it shall be by uniform rules also. It does not require that all property shall be assessed for taxes, but that property, when assessed for taxes—or in other words, such property as shall be assessed for taxes—shall be assessed under general laws, &c. Certain property has been exempt from taxation ever since the amendments to the Constitution were adopted, and such exemption has received the judicial sanction. The property is of the same kind as that which is taxed, but the use to which it is devoted—the purposes of religion, education, benevolence, &c.—make it a class and justifies the exemption.

"The constitutional provision does not take away from the Legislature the power of selecting the subjects of taxation. *State, Vail's Ex'rs, pros.* v. *Runyon, 12 Vroom 98; State, Stratton, pros.*, v. *Collins, 14 Vroom 562.* But it does require that all the members of the class selected shall be included in the taxing law, and that the rule applied thereto shall be uniform as to the whole of the class, and that the assessment shall be made at the true value of the property constituting the class; and if these requirements are answered by the law it is not in conflict with the constitutional provision.

"If the Legislature has power to exempt, on account of the special use to which they are put, certain kinds of property from the taxation to which other property of the same kind, but put to general uses, is subjected, it has the right to provide, in its discretion, that such special property shall be assessed at a different rate and in a different way from the other. Judge Cooley, in his work on Constitutional Limitations, says (page 497) the constitutional requirements that taxation upon property shall be according to value do not include every species of taxation, but that all special cases, such as those which he specifies, among which are those where corporations are required to pay a certain sum annually, in proportion to their capital stock, or by some other standard, which methods are required by the State as most convenient and suitable for the taxation of such organizations, are by implication excepted. In fact, under our laws various methods, which have received expressed judicial sanction, are employed for the taxation of the property of various kinds of corporations in order that such property may be taxed at, and not beyond, its true value.

"Railroads and canal property being peculiar property, which cannot, in justice to the owner, be valued in the same way as other property of a like nature, the Legislature was bound to provide a proper method of valuing it justly for the purposes of taxation. Such method must be a peculiar one. The machinery provided for the purpose by the act—a State Board of Assessors—is appropriate, and such as is necessary, in view of the peculiar character of the property. If, by the method adopted,

the companies are required to bear no more than their just share of the public burden of taxation, they surely have no ground of complaint. Whether the tax which they pay is appropriated to State purposes alone, or to State and county and municipal purposes, is a matter which does not concern them. All taxes whether levied for State, county or municipal purposes, are State taxes—they can be imposed by no other authority than that of the State. The State appropriates the proceeds to what purposes it sees fit, but however the proceeds may be appropriated, every tax is a State tax. *Camden and Amboy R. R.* v. *Commissioners of Appeal, 3 Harr. 71; State, Camden and Burlington R. R. Co., pros.*, v. *Cook, 3 Vroom 338; Vreeland* v. *Jersey City, 14 Vroom 135.*

"If the legislative provision for the taxation of the property of railroad and canal companies is not in contravention of the Constitution, it will stand; the apportionment of the proceeds of the taxation cannot affect the assessment. The power of apportionment is not limited or affected by the Constitution, and the judiciary has no control whatever over it. The Legislature, in the Act of 1884, takes pains to secure the railroad and canal companies against being required to pay more than their full share of tax. The act provides that if the State Board of Assessors, upon complaint of any company, shall in any case ascertain that the addition of the State tax of one-half of one per cent. to the local rate, as limited by the act, would compel any company to pay more tax than such company would pay if it did not pay that State tax, but did pay full local rates on all of its property used for railroad or canal purposes and its tangible personal property and franchises, without any other exemption than such as would be allowed to an individual citizen on such property, then and in such case the Board shall make such deduction as will make the tax equal to the amount that the company would pay upon all that property, including the franchises, if assessed at full local rates, without any State tax; and that for the purpose of ascertaining the amount (but for no other purpose) the Board may apportion the value of the franchise among the taxing districts. Nor can it be successfully contended that under the

act one company may be required to pay a greater proportion of tax for State purposes than another, for, as before stated, the apportionment does not affect the constitutionality of the tax, and each company is to be assessed upon the same kind of property at precisely the same rate and by exactly the same method of valuation. The assessment for tax for State purposes is to be upon the entire assessed valuation of each railroad and each canal company as ascertained by the State Board of Assessors. And here it may be observed that if the Legislature may tax the property separately and by a peculiar rule, the peculiar character of which is made necessary in justice to the owners of the property as well as to those who own other taxable property, in view and by reason of the use to which the property is applied, the fact that only part of the property is taken into account in one part of the method (*i. e.,* in making up the amount to be paid in respect of county and municipal tax), is of no moment. The tax applied to State purposes and that applied to county and municipal purposes are one tax and are to be so regarded. The act provides that the sum of the estimates or computations for each company shall constitute the tax to be paid by each company. It may be added that *no system of taxation can be devised which will be free from criticism, on the ground that in some way or other it works unequally or lacks complete uniformity.* Said the U. S. Supreme Court in *State Railroad Tax Cases*: 'Perfect equality and perfect uniformity of taxation as regards individuals or corporations, or the different classes or property subject to taxation, is a dream unrealized. It may be admitted that the system which most nearly attains this is the best. But the most complete system which can be devised must, when we consider the immense variety of subjects which it necessarily embraces, be imperfect.'

"The objection is made that under the act only the property mentioned in sub-division 2 of section 3 (real estate used for railroad or canal purposes, not including main stem or water way) is subjected to assessment for taxation for county and muncipal purposes, whereby it is argued the companies escape their share of county and municipal taxation in respect of the main stems or the waterways, and the tangible personal

property in the taxing districts. But if the taxes be but one tax, and the Legislature has the right to fix the amount of that tax by the means adopted, it follows that the objection is without actual foundation, for the Legislature has the right to say what tax the companies, in view of the peculiar character of their property, shall pay, and in what way it shall be assessed, provided it makes the assessment under general laws and by uniform rules, according to the true value of the property. *To hold otherwise would be to hold that the Legislature is bound to tax all property at the same rate and in the same way, without regard to the use to which it is put.*

"To summarize the views above presented. The power of taxation is in the legislative branch of the government alone. It is unbounded, except as it may be limited by constitutional restraint. *A law which taxes a class of property separately is not unconstitutional if it embraces all property of that class and applies to it uniform rules and taxes it according to its true value.*

The constitutionality of such a law is to be determined in the same way in which it would be determined if the property taxed were the only property taxed in the State."

To the same effect is the opinion of Justice Parker (former Governor), beginning on page 293 of *19 Vroom.*

The Attorney-General, in his address before the Commission, quoted largely from the opinion of Justice Parker, and concerning it said:

"No more satisfactory resume of this matter can be found than is contained in Mr. Justice Parker's opinion in the Court of Errors, concurring with the majority of the court in the view that the act (of 1884) is entirely fair and constitutional."

Without citation in this report from the opinion of ex-Governor Parker, we ask that it be regarded as an appendix hereto, and bespeak for it the perusal and careful consideration of every reader of this report.

In the Court of Errors and Appeals the case was argued before twelve judges. Of these judges, Judge Depue voted to affirm the judgment of the Supreme Court in all things. Justices Dixon and Reed considered the act unconstitutional in the respects that

t imposed taxes for local uses, but held that the imposition of he tax of half of one per cent. for State purposes was in compli- ance with the Constitution.

At the time the case was argued (March term, 1886), the Court of Errors consisted of sixteen judges. The three justices before whom the case was argued in the Supreme Court and Jus- ice Van Syckle did not sit in the Court of Errors, thus reducing he number of judges in that court to twelve. The record, there- ore, stands thus: Four judges held the act of 1884 unconstitu- ional in whole; two regarded it unconstitutional in part; nine egarded it constitutional in all its parts; and eleven as consti- utional in so far as the imposition of the tax of one-half of one er cent. for State purposes was concerned.

Whatever our individual views may be, we are, therefore, ound to regard the Act of 1884 as valid in all its parts, and being alid, the conclusion inevitably follows that the scheme of taxa- ion it embodies complies with the constitutional requirements hat "Property shall be assessed for taxes under general laws and y uniform rules according to its true value."

There seems to be much confusion in the popular mind as to he actual constitutional requirements in matters of taxation. Many discuss the subject as though the Constitution declared 'there shall be equal taxation" or "taxation shall be equal." Doubtless many believe that such is the language of the Consti- ution, although, as before stated, the words "equal taxation" re not in the Constitution. It may be that the provisions actually herein are equivalent to a declaration that taxation shall be qual. Assuming such to be the fact, the question still remains, What is equal taxation within the meaning of the Constitution?

Apparently the popular idea is, that under a system of "Equal Taxation" all property, howsoever or by whomsoever held, must e assessed at the same rate, so that every one thousand dollars f valuation shall pay exactly the same amount into the public reasury. Such idea would be correct did all property belong to he same class and possess the same characteristics; but experi- nce has demonstrated that it is impossible to devise a scheme of axation which will operate equally on all kinds and classes of

property. As Chancellor Runyon remarked in his above quoted opinion, "No system of taxation can be devised which will be free from criticism on the ground that, in some way or other, it works unequally or lacks complete uniformity."

In the *Head Money Cases, 112 U. S. 580,* the U. S. Supreme Court said "Perfect uniformity and perfect equality of taxation in all respects in which the human mind can view it is a baseless dream, as this court has said more than once."

It is settled that taxation is a prerogative of sovereignty and that all taxes, however or for whatever purposes imposed, are State taxes and may be apportioned as the Legislature in its discretion sees fit. All taxes received from any class may be reserved for the use of the State or all or a portion thereof assigned to the municipalities. No *injustice* is done to any municipality when the State reserves to itself, for its own necessities, the whole tax assessed against a particular class of property. Such reservation may bear more onerously against some municipalities than others; but that is an incident inherent in any system of taxation that can be devised.

When property has been constitutionally classified for purposes of taxation, all property in that class must be assessed at its true value, by a uniform rule and at the same rate, thus complying with the constitutional requirements and establishing "equal taxation" as the same must be understood under the State Constitution.

The constitutionality of the act of 1884 being thus established after bitter and protracted litigation, and the decision having been acquiesced in by all parties for a period of about twenty years, the subject matter of taxation in this State remains a question of legislative discretion, to be exercised in such manner under the constitutional limitations as the Legislature may deem proper. Such discretion should be exercised in such a way as to promote the general welfare, rather than the welfare of any particular locality. As before remarked, no system can be devised that will not bear more onerously on some section or sections than on others.

As to changes to be made in existing tax laws and particularly in the law of 1884, the necessity of providing a reliable source of State income should be borne in mind. That should be the first consideration in any system of taxation.

The State must first provide for its own wants and necessities, and then it may consider those of its subdivisions.

Ever since the inception of railroads the taxes annually received therefrom have been relied upon as the chief source of revenue to the State. Changes can be made in the law of 1884 that would entirely destroy it as a revenue producer to the State. This would necessitate other legislation, to supply, if possible, the revenue thus withdrawn. We do not think this desirable. In ascertaining the desirability or necessity for change in laws affecting the State's revenues, we naturally seek for the views of those most conversant with the State's needs. In his address before the Commission, the Attorney-General, speaking of the act of 1884, said:

"As is well known, the tax act of 1884 imposed a heavier burden on railroads than they had before borne, and hence it was vigorously attacked by them in the courts. The Supreme Court, consisting of Chief Justice Beasley and Justices Knapp and Magie, the latter now being the Chancellor of the State, held it to be unconstitutional. The contrary judgment of the Court of Errors and Appeals was not concurred in by Judge (afterward Chief Justice) Depue, so that while the law was ultimately sustained it did not receive the approval of some of our greatest jurists. The act was drawn by the ablest lawyers and was designed to and did materially increase the revenue of the State. Many of the railroads, including the Pennsylvania system, have paid the taxes imposed against them under protest, claiming that their charters exempted them from the additional exactions. Twenty years have passed, however, and I think the view prevails alike among the railroad companies, the State officials, and every one else who has given the subject any attention, that a fair and equitable system was thereby devised for raising a large part of the State's necessary revenues. This twenty years' acquiescence has crystallized the act and dissipated the doubts as to its consti-

tutionality or applicability. So much at least is secure. The experience with that act has demonstrated the difficulties, legal and otherwise, surrounding the enactments of a law which will withstand attack, and, speaking for and on behalf of the State, I urge that before any material departure from the plan and scope of that act be recommended, you seriously consider the legal and practical difficulties in the way of successfully enacting a substitute. Do not misunderstand me. The present situation calls for certain modifications, but I venture to warn you against fundamental changes."

Governor Murphy, in his last message to the Legislature, said:

"The subject of the proper taxation of railroad property should receive the earnest attention of the Legislature. Many people sincerely believe that the property of these companies is not bearing its full burden of taxation, and in response to a general demand, I appointed, at the last session of the Legislature, a Commission to consider the subject of the taxation of all classes of property. This Commission has held many sessions for the purpose of hearing suggestions of all kinds, and will shortly present its report. Meantime, both political parties, in their platforms, have demanded a change, and in my opinion the Legislature will be derelict in its duty if it does not seriously consider the present situation and act upon it. Important interests are involved, however, and must not be overlooked, and the first duty of the Legislature is to protect the income of the State. The State's revenue, for which the money annually received from railroads has been the chief reliance, the rights of property, including the chartered rights of the railroads themselves, and the burdens of the municipalities, must all be kept in mind. In my opinion, nothing should be done which will decrease the revenue now received by the State from this source, or divert any of that revenue to the local municipalities. Care also should be taken in the framing of any remedial legislation, that the requirements of the constitution are observed. The difficulties heretofore experienced in enacting laws to tax railroad property that will square with constitutional mandates, will, I am sure, make you alive to this feature of the subject."

The present Governor, in his inaugural address and message, speaking of railroad main stem property and the State revenue derived therefrom, said:

"In any modification of the taxation of this class of railroad property (main stem) due consideration should be given to its effect upon the revenues of the State. Laws upon this point have differed at different periods, and in all cases the income from this source has been covered into the State treasury for State purposes. How far the State can forego such revenues at the present time is a matter for legislative consideration. In recent years much of her income has been diverted to municipal uses. Some sections of our State are asking for the collateral inheritance tax; others are asking for the tax on insurance companies. The National Government recommends incorporating business companies under Federal laws. These influences all tend to lessen the State's revenues. Under no pretext should the Legislature be induced to forego that income to such an extent that a State tax be unavoidable. To such a tax I am unalterably opposed. The people have been free from this burden for twenty-one years. Let us preserve this happy condition.

"The main lines of railroads constitute a species of property particularly adapted to taxation by the State so long as the State needs the revenues. Railroads cannot move away, nor are they confined to the limits of a single taxing district, but are the arteries of trade and traffic for the entire commonwealth. Nor must it be forgotten in the modification of the present railroad tax law, that its fundamental principles have been approved by our highest courts, and that a change in these principles would open new legal questions to be afterwards determined and settled. When it is considered that the revision of the school law, in the preparation of which the best legal talent was consulted, was a subject of two adverse decisions by the highest courts, the desirability of avoiding such confusion in a modification of the railroad tax law is a truism that needs no defense."

The Attorney-General, in his address before the Commission, dealt extensively with the question whether the State could at the present time safely forego any part of its revenue derived

from taxes upon the main stem of railroads. He was decidedly of opinion that it could not. He adverted to the fact that the State had, ever since the year 1897, annually foregone about $200,000 of its income derived from said railroad taxes, and that receipts of taxes from other sources (peculiarly State taxes), amounting to more than $400,000 annually, had since the year 1897, been turned over to the municipalities. He showed that the State's receipts from all sources for the year 1903 amounted to the sum of $4,517,880. Expenditures during the same year, $4,310,926.16, an excess of $206,953.84 of receipts over expenditures. But the revenues of 1903 were abnormally swollen by the unexpected receipt of $480,000 from the Federal Government for interest on civil war bonds, and of $438,635.13 from the inheritance tax, which normally amounts to about $200,000 annually, but which was swollen to unusual proportions in the year 1903 owing to the settlement of the Rogers estate. But for the receipt of these unanticipated moneys (none of which can be counted upon hereafter) there would have been in 1903 a large excess of State expenditures over receipts.

For the fiscal year ending October 31, 1904, the State fund shows disbursements over receipts of $10,718.19, a decrease in receipt of $130,926.25, and an increase of disbursements of $86,710.85 over the preceding year. The total appropriations available during the fiscal year ending October 31st, 1905, amount to $4,472,443.25. The estimated receipts from all sources for State uses for the year ending October 31st, 1905, are $3,799,370.00, an excess of appropriations over estimated receipts for the fiscal year ending October 31st, 1905, of $673,073.15, to which will be added all appropriations made by the present Legislature in the supplemental appropriation bill.

The Attorney-General asserts that with the ordinary disbursements of the State annually increasing, and there being no hope of the continuance of such extraordinary receipts as those above mentioned, a State tax is inevitable, unless the present revenue from railroads is preserved to the State.

The State's receipts from the taxes on railroads amount now to about $1,000,000 annually. That of itself would fall far

short of preventing a State tax. But of late years the State has been in receipt of large sums in the way of taxes upon miscellaneous corporations and fees paid upon filing the charters of such corporations. These fees and taxes received from railroad and miscellaneous corporations, together with the collateral inheritance tax, are the chief sources of State revenues. But other States are now competing with New Jersey for the incorporation of miscellaneous corporations and are meeting with a considerable degree of success. In three of these competing States, during the first ten months of 1904, corporations were incorporated with an aggregate of capitalization of $648,780,820.00, as against $313,569,620.00 in New Jersey during the same period, showing $355,210,200.00 against New Jersey. A few years ago, all or practically all of these corporations would have been incorporated in New Jersey. The Federal Government apparently intends a system of national incorpation or license for corporations. The Secretary of State reports that there is a decided decrease in the formation of miscellaneous corporations, and a marked increase in the number of dissolutions of such corporations, all which of course affects the State's income more or less disastrously every succeeding year. Thus we have presented the spectacle of a State with constantly increasing expenditures and a constantly decreasing revenue, which condition of affairs led the Attorney-General to remark:

"Gentlemen of the Commission, let me again urge you to go slow in making any recommendation that shall infringe the present method of taxing railroads for State revenue. This plan has passed the gauntlet of judicial contest. No one can tell what would become of a substitute. *The railroads may with method acquiesce in revolutionary changes, in hopes of repealing the present law and of securing the enactment of a new one that will be unconstitutional, with the result that they would be thrown back to the less stringent provisions under which many of them were incorporated.* The State cannot afford to risk another contest. The principle of the present law, sustained as it was by the courts, should be maintained, and no encroachment should be made upon

the necessary receipts of the State for the benefit of the municipalities."

The assertion that if railroad property may be classified for taxation, that so also may be the property of miscellaneous corporations, the farmer and others, has, in our opinion, no merit. We doubt whether outside of railroad and canal property, there can be found any other property in this State, with characteristics so peculiar and distinctive as to permit of its seggregation for taxation into a class by itself.

Property devoted to railroad uses and purposes (the main stem) is made up of many tracts, composing a strip not exceeding one hundred feet in width and extending greater or lesser distances, in many instances entirely across the State. When land is thus absorbed for railroad uses and purposes it loses about every other characteristic, except that of land, that it before possessed in common with other lands. It becomes practically inalienable. Being part of a railroad system whose value depends largely if not entirely upon its continuity it cannot be aliened without destroying the system of which it is an essential part; whereas, other lands may be sold daily if the opportunity presents. The railroad land is held in perpetuity by the same owner, other lands must change ownership at least once in every generation on the death of its proprietor. The railroad land cannot be leased or mortgaged as other land may be. Railroad corporations on the idea that they hold their lands for the public accommodation may acquire lands by condemnation. Their lands are cumbered with the condition, express or implied, that they be used as and for the purposes of a common carrier of persons and freight, and because the corporation is invested with the right of eminent domain, and its lands are devoted to such uses, the corporation is held to the payment of a franchise tax. In short, if any property possesses characteristics that warrants its segregation into a class for taxation, railroad property certainly does.

But it is of little profit to discuss these things. The courts have decided not only that railroad and canal property may be classified for taxation but ought to be so classified and have upheld the law that makes such classification.

We think that railroad property embraced in the main stem should continue to be valued as a unit by the State Board of Assessors. It is a body peculiarly appropriate for the work. This seems to be the universal opinion, even of those who contend that it is feasible to divide the property into valued parts for purposes of local taxation.

Chief Justice Beasly, in his referred-to opinion in the Supreme Court, said:

"We perceive no reason why the Legislature may not create different agencies for the valuation of property and the assessment of taxes. In point of fact, the assessors in the different districts in matters of State taxation are such various agencies. Nor do we think that the present law (Act of 1884), in mere point of instrumentality, is objectionable, for it plainly appears that some unusual system of appraisal was requisite when we note the peculiar situation of the property to which it relates, and that the value of such property, *as a unit,* must be ascertained before it can be distributed into valued parts."

So Governor Stokes, in his inaugural message, said:

"The main line of a railroad depends for its value upon its continuity from terminal to terminal. Property of this kind has value as a whole. Divide it and you destroy. In estimating the value of such property for purposes of taxation it should be valued as a whole. The separation of this property into sections or into real estate and franchises does not conduce to the revenue of either the municipality or the State."

So Governor Parker, in his opinion, at *page 305, 19 Vroom,* says:

"The Act in question (law of 1884) is not only constitutional, but is founded on a *just* basis."

It is well known that Governor Abbett favored the law of 1884, and that he was largely instrumental in its passage.

There seems to be a consensus of opinion, however, that reserving the taxes from the main stem for State purposes, the act of 1884 may be modified or changed in other respects so as to materially aid the municipalities. An entirely practicable recommendation was made by Governor Stokes, in his inaugural, viz.:

"For the purpose of taxation, railroad property has been classified, apart from franchises and personalty, into two classes—the main stem and the property used for railroad purposes outside of the main stem. The main stem is confined in some cases to a strip of land not exceeding sixty-six feet and never exceeding one hundred feet in width. The limitation was based upon the principle that this property was not subject to local tax, and that it should not therefore be permitted to absorb to any considerable extent the real property of the municipality through which it passed.

"Railroad property outside of this main stem, known as second class property, has, however, absorbed and is still absorbing part of the taxable realty of the several municipalities and has long been recognized as a proper source of taxation for municipal purposes. With the principal recognized this property should bear the equal share of municipal tax burdens."

"Equal taxation involves valuation as well as rate, useless one without the other. When the valuation of second class railroad property has by a proper treatment of review been adjusted to the standard of the value adopted by the local assessors in each taxing district, there is no reason why it and the property of individuals should be taxed for the same purposes at different rates. Let the railroad tax law be amended so that second class property be assessed at local rates. This recommendation is made, and can be properly made only in the interests of the taxpayer. It should be carried out with an eye single to his benefit. I suggest, therefore, that in framing the statute, in the discretion of the Legislature, it be provided that the value of this property be certified by the State Board of Assessors to the various taxing districts in which the property lies, that this be added to the municipal ratables already ascertained and that upon this aggregate valuation the local tax rate be struck. In this way and not otherwise will the taxpayer receive the benefit of a reduced tax rate and find relief in this extent from the increasing burdens of his annual tax bill."

We concur in this suggestion of subjecting second class railroad property to taxation at local rates for the benefit of the respective municipalities in which it may be located.

We suggest for legislative consideration, whether it might not be judicious to further amend the act of 1884 so that the rate of taxation of one-half of one per cent. fixed therein on main stem property be increased to a higher rate; the fixed rate, however, not to exceed the average local rate throughout the State. The necessities of the State to be paid first out of revenues received from some other source than the railroads so far as the same suffice therefor; recourse then to be had to the revenue received from the railroads—the surplus, if any, remaining to be paid to the different municipalities proportionately to the tax collected on railroad main stem property located in such municipalities respectively.

It has been suggested that main stem property be taxed at local rates and the proceeds paid in the first instance to the municipalities, subject to the right (which would always remain to the State) to divert all or any portion thereof to State uses and purposes. We cannot concur in this suggestion. We think the State should always be able to rely upon a reasonably certain annual income. To deprive the municipalities of the income from main stem taxes in whole or in part, after they had accustomed and accommodated their affairs thereto, would, in our opinion, besides being very injudicious, be very difficult of accomplishment. The State should not allow itself to be placed in the position of taking from the municipalities moneys which it has once, as the Attorney-General expressed it, "donated" to them.

Nor do we think it correct to say that the State does not need the money received from the tax on main stem property. Certainly if anything like the expenditures of recent years are to be continued, the State will be looking for new sources of revenue rather than abandoning the one most staple and certain. The cost of administering the State government necessarily increases yearly where its administration is up-to-date. We have no doubt that our people will approve an administration conducted upon liberal (not extravagant) lines rather than one characterized by niggardly economy. New Jersey, in the quality and extent of her public charities, her public buildings, courts, schools and

roads, stands among the foremost if not the foremost of the States. The annual cost of maintaining all these and providing for the new and ever increasing legitimate demands of government, require that the present revenues of the State be enhanced rather than diminished.

One of the immediate and beneficial effects of the act of 1884 (and which has endured ever since), was to relieve our people from the burden of a State tax which theretofore prevailed. Except in case of evident necessity, they will not mildly submit to its reimposition. Should the State relinquish its railroad or any other tax, and a State tax be thereby necessitated, the general welfare would not be promoted, and should the taxpayers be compelled to pay directly the cost of maintaining the courts, the prisons, the reformatories, the State hospitals, the blind and feeble-minded schools, militia and the almost innumerable items of expense now defrayed by the State, under the tax provision now obtaining, the tax bill of every individual would be largely increased beyond any increase now occasioned by the fact that the State is withholding in whole or in part, for its own uses and purposes, certain property from municipal or local taxation.

As to personal property, whether belonging to railroads and canals or to individuals, it also is liable to taxation under the quoted constitutional provision, "property shall be assessed for taxes, under general laws and by uniform rules, according to its true value."

The value of the tangible personal property of railroads and canals is to be ascertained and determined by the State Board of Assessors; the tax thereon is reserved by the State for itself, the rate being fixed by law at $5 per $1,000 of value.

The tangible personal property of the railroads includes the locomotives, engines, passenger and freight cars, rolling stock and ferry boats, machinery, tools, etc., owned by them.

The personal property of the individual is ascertained by the assessors of the different municipalities and the rate of taxation thereon is that prevailing in the taxing district wherein the same is located. The law provides ample means for ascertaining the quantity, character and whereabouts of personal property, whether of railroad or individual ownership.

There is no doubt if the duty of ascertaining the whereabouts, kind, description and true value of all property, particularly of personalty, was efficiently performed by the officials charged therewith, that great benefits would accrue to the different municipalities of the State.

It is asserted by the municipalities that in some instances real estate of the railroads escapes taxation altogether; that large amounts of personalty are concealed or returns thereof withheld, thus escaping taxation, and that both the real and personal property of the railroads is greatly under-assessed.

The railroads make the same complaints against the municipalities, and submitted before the Commission a mass of documentary evidence to prove their contention: that the valuations of the local assessors do not show the true value of the property assessed.

We do not undertake to determine whether either of the parties are right in their contentions. Probably they are both right to a certain extent. If so, it demonstrates the desirability or necessity of a tribunal, where such complaints and many others growing out of the taxation problem, may be investigated and the proper remedy applied.

The establishment of such a tribunal was approved by the representatives of the railroads and municipalities appearing before the Commission.

In this connection we cite favorably the remarks of Governor Stokes in his inaugural address, viz.:

"The present tax laws of the State do not operate uniformly upon all property. The State Board of Taxation has declared time and time again that in many localities the tax laws were being deliberately violated by the assessment of property below its true value, in some cases as low as 33⅓ per cent. The same authority has declared, what is a matter of common knowledge, that personal property to a very large extent escapes taxation. Under such a system the taxpayers have no protection, because there is no protection in a policy that is based upon violation of law. If all property were assessed according to the constitutional requirements the average tax rate in the State would be less than

one per cent. What is needed for the settlement of tax problems is less theory and more good old-fashioned Ten Commandment honesty. The question of taxation cannot be settled piecemeal. It must be settled as a whole, and all kinds of property, real, personal and corporate, must pass muster before the reviewing tribunal.

"Of the many abuses of our taxing system I cite one illustration. In order to escape part of the county tax, some taxing districts have resorted to low valuations, and have released from taxation almost all personal property. Under such a condition some counties are bearing an undue share of the tax burden as compared with others. The people of New Jersey are raising every year for school purposes, under the agency of the State, about $1,886,000. The amount that is to be raised by each county is determined by the proportion its taxable property bears to the taxable property of the State. These counties, therefore, which reduce valuation and allow property to escape taxation altogether, do not bear their fair share of this school tax. It is not a sufficient answer to say that ninety per cent. of the sum thus raised is returned to the county that raises it, because ten per cent. of the amount is put into the common fund for distribution at the discretion of the State Board, to such counties as need assistance in the support of their schools. Unless, therefore, the property valuation throughout the State preserve some degree of uniformity the several counties are contributing unequally to this common fund for the support of our schools. The remedy for this evil would seem to be the reorganization of the State Board of Taxation with greater power, or, better perhaps, the creation of a State tax court that would sit as a court of appeal in these matters, with equitable power to remedy inequality in valuation and equalize the same, not only in the case of individuals and corporations, but in cases of appeal between taxing districts and between counties where these are contributing to a common cause."

Upon such a tribunal as is above suggested we would confer wide jurisdiction in the premises, with full power to enforce and make effective its decisions. Unless it be necessary to the proper

enforcement of its decisions, we would not invest it with the formalities of characteristics of a court, but rather constitute it as a board or commission to be, as it were, a "law unto itself."

The establishment of such a tribunal would do much towards relieving the taxation situation. The difficulty is not so much with the existing system as it is to the efforts of interested parties to circumvent or evade the fair operation of the system and thereby obtain undue advantage. For instance, counsel for Jersey City contended that railroad property was not and is not assessed at its true value; that the original valuation of railroad property made by the State Board of Assessors in 1884 was not more than sixty per cent. of true value. The railroads retorted that the municipalities were the guilty parties, etc. The same contention was made before the Supreme Court in the cited case, and concerning it Chief Justice Beasley said: "The attention of the court was directed to the "fact, which had been established not only by the testimony, but by the report of the State Board of Assessors itself, that, although it was the universal practice of the assessors of the different tax districts to rate property much below its real value, the State Board had rated this corporate (railroad) property at its true value. That this discrepancy, arising out of the *practical operation* of the methods of valuation existed was not disputed. *But this result, it is manifest, was not the legal or proper result of the plan of assessment thus introduced by the Legislature," etc.*

We make this citation in support of our assertion that the difficulty of the tax problem is due, not to anything inherent in the system, but to the efforts of interested parties to evade its fair operation. All complaints of the above character would be remedied and righted by the proposed tribunal.

Counsel for Jersey City also contended that railroad lands in Jersey City are assessed lower than adjacent land; that a large amount of railroad property in Jersey City escaped taxation; that the improvements to railroad property and the personalty of railroads were both under-assessed, and many other objections, to the number of twenty-eight, were made by the city counsel, all of which were complaints of matters proper (with probably one

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or two exceptions) to be heard and adjusted by the proposed tribunal.

One complaint made on behalf of Jersey City may call for legislative action. Counsel said:

"Injustice is suxered by Jersey City by the practice of taxing as main stem certain branch lines in Jersey City which are nothing more than connections or freight sidings, or, at the most, branches. Whatever may be the legal or technical justification for this practice, it is in effect taxing second class property which ought to bear at least the rate of one and one-half per cent. at one-third of such rate by falsely pretending that it is the main stem of the railroad. Of the forty-two and one-half miles of main stem and branches in Jersey City, five and one-half miles have no characteristics justifying their classification as main stem property."

Whether or not such practice actually exists we do not undertake to determine, but it is charged to exist and may exist. The meaning of "main stem" property, as defined in the act of 1884, should be redefined and made more definite, to the end that such practices as above be rendered impossible and the meaning of main stem property be left as little as possible to judicial construction.

Recurring to the taxation of tangible personal property of railroads, we recommend that personal property with a situs, that is, with a fixed locality, be valued as now, by the State Board of Assessors, and be taxed at local rates for the benefit of the municipality in which it has its situs. Should a rule be established for ascertaining the true value of such property we suggest it be not the cost of re-creation or reproduction, but the price it would bring between a willing seller and a willing buyer.

In this connection we refer to the separate reports presented by Mr. Riker (chairman) and by Mr. Black and Mr. West. Each of said reports contains much valuable information and discusses the subject of taxation in a masterly manner from the view points of the respective writers.

We especially concur with the fifth recommendation of Mr West, that a limit be placed as to the total tax rate in any municipality and adopt the same as our own.

As to taxes upon miscellaneous corporations, and upon the public utility corporations that make use of the public streets, the matter was not brought specially to the attention of the Commission, and we therefore assume that there is no complaint in respect thereto.

Should the suggestion of our report be embodied in the statutes of the State, the system of taxation (except as to railroad and canal property) would remain substantially as at present, subject in proper cases to review by the proposed tribunal and to the provision limiting the rate of taxation in municipalities.

As to railroad and canal property, all of it, except the main stems and waterways (to be defined as herein suggested) will be taxed substantially as other property in the State and for the benefit of the municipalities where the same is situate or located.

The terms "main stem" and "water way" being more accurately and definitely defined, the exact limits thereof and the property included therein will be reduced to a certainty. It is certain that the limits thereof in most localities (including Jersey City) cannot exceed present limits.

Practically, then, there is nothing left except the question whether the State can safely "donate" or surrender to the municipalities the revenue it now derives from the main stems and waterways of railroads and canals. The testimony of those most conversant with the needs and necessities of the State is that it cannot, except as to a surplus arising in the manner herein suggested.

The effect of a distribution of a surplus in reducing local taxation was referred to by Governor Stokes in his inaugural address as follows:

"In 1898 the Legislature passed an act providing that the surplus money in the State treasury might be appropriated for the purpose of reducing the burdens of local taxation. For the first year, or perhaps the first two years, the distribution of this sum reduced the tax rate and lightened accordingly the burden of the taxpayer. At the present time the $970,000 distributed from the State treasury for this purpose is used by municipal authorities for increased expenditures, while the taxpayer is called upon to contribute as much, if not more, than before."

In view of such result, the Governor adds:

"I would amend this act, and would provide that this distribution be limited to those taxing districts where it was used, not as a means of increasing expenditures, but as a means for reducing the tax rate proportionately to the amount of the contribution from the State. In his way economy in State expenditures, the increase in State revenue and the growth of the State surplus could be made to lessen the taxes of the property holders of New Jersey."

This experience illustrates the truth of the maxim "that money easily obtained easily goes."

As a result of the Commission of 1896 Jersey City receives annually, in the way of taxes, $112,000 over what it received theretofore. The change in the mode of taxation of second class property herein recommended would be productive annually to that city of a further sum of at least $270,000, which could be further largely increased by the local officials more efficiently complying with the constitutional requirement that property be assessed for taxation at its true value.

The argument is advanced that the railroads enjoy the protection of the municipal fire and police departments and contribute little or nothing for the maintenance thereof. The railroads reply that they do so indirectly, and moreover, pay into the public treasury the larger portion of the moneys that defray the expenses of the State government and thus avoids the imposition of a State tax. Our examination of the subject leads us to the conclusion that the inequality is more apparent than real—that non-payment in the one case is largely counterbalanced by exclusive payments in the other direction.

We submit herewith, as an appendix to this report, a history of Tax Commissions in New Jersey and a statement of statutory and constitutional provisions in the various States as to taxation of railroads prepared by Mr. Usher, Secretary of the Commission.

We also append a letter or communication from the State Board of Assessors, dated December 19, 1904, giving the views of that body, or its chairman, upon the question of railroad and canal taxation.

RECOMMENDATIONS.

1. Railroad main stem property should, for the purpose of taxation, be assessed as a unit by the State Board of Assessors.

2. The money derived from taxation upon main stem property should be retained by the State for its own uses and purposes.

3. The Legislature should consider the expedience of increasing the rate of one-half of one per cent. now imposed on main stem property, so that a portion thereof might, under the conditions stated in this report, be paid to the municipalities.

4. Second-class railroad property should be valued by the State Board of Assessors and assessed at local rates for the benefit of the municipalities.

5. There should be created a new tribunal, of the character mentioned in Governor Stokes's inaugural address, for the hearing and determination of tax disputes.

6. The term "main stem property" should be re-defined and made more definite.

7. Personal property of railroads having a situs should be valued by the State Board of Assessors and taxed at local rates for the benefit of the municipalities; other personal property, whether tangible or intangible, to be taxed as at present.

8. A maximum limit of the rate of taxation for municipalities should be established by law.

9. The taxes upon miscellaneous corporations and utility corporations using the public streets to be assessed and collected as at present.

Respectfully submitted,

GEORGE T. WERTS,
CARL LENTZ,
HENRY J. WEST.

APPENDIX.

TAX COMMISSIONS IN NEW JERSEY.

Within the past forty years six commissions have been appointed in New Jersey to investigate the subject of taxation, viz., those of 1867, 1879, 1882, 1890, 1896 and the present commission of 1904. Unfortunately, the reports of the first four commissions are out of print, but they can be found in the bound Legislative Documents.

The Commission of 1867 was appointed by Governor Marcus L. Ward. Governor Ward's annual message for that year had called the attention of the Legislature to the confusion and inconsistencey in the tax laws, and had suggested that the tax acts be made to conform to the laws of the federal government in respect to the taxation of certain kinds of capital. He also recommended that a commission of five persons be appointed to draft and prepare a new tax law. The Legislature responded to this suggestion, and Mr. Charles S. Olden, Mr. Henry W. Green, Mr. Peter S. Duryea, Mr. William Paterson and Mr. Amzi Dodd were appointed as members of the commission. This commission drew up a bill which was in effect a general tax act, with particular reference to deductions for debts, which were not to be allowed under the proposed act. To quote from the report of the commission: "Various changes have been made of a subordinate kind, among them the following: Every person having a family is allowed an exemption of two hundred dollars from his taxable property, where it does not exceed that sum. Personal property in transit through the State, when belonging to non-residents, is exempted. Imprisonment for non-payment of taxes is abolished." The bill as submitted by the commission made no radical departure from the general tax act of 1866, except that it contained more detailed provisions for the machinery of taxation, in addition to the slight changes previously noted. The records do not show that the Legislature passed this bill. The report of the commission, with the bill drawn by them, can be found in the Legislative Documents of 1868, pages 35 to 64.

Commission of 1879: In 1879 another commission was appointed, in accordance with an act approved March 14th, 1879, which provided "That the said commission shall make a full and thorough investigation of the manner in which the different kinds of property, and the various industries and occupations of the people of the State, are affected by existing laws relating to taxation, together with any defects, discrepancies or irregularities in such laws, and advise such changes and improvements therein as to them shall seem most likely to promote the agricultural, commercial, manufacturing and other interests of the people of the State." The members of the commission thus appointed were Mr. George W. Atherton, Mr. George Dayton, Mr. John P. Jackson, Mr. Nathan T. Stratton and Mr. William Paterson. Their report, which is contained in the Legislative Documents of 1880, gives a very able exposition of the principles of taxation. Their recommendations were largely matters of detail, and suggested no radical changes. Some of them have since been adopted, such as the three years' term of office for assessors and collectors.

Commission of 1882: Previous to the passage of the railroad tax act of 1884, railroads were taxed under the acts of 1873 and 1876, but these acts did not include all the railroads in their scope, some of them being incorporated under special acts and claiming to have irrepealable contracts with the State. Under the act of 1873 the railroads paid a tax of one-half of one per centum on the cost of the road and equipment. The act of 1876 changed the basis of taxation from the cost of the true value of the road and equipment.

A growing dissatisfaction with the existing system of taxation resulted in the appointment by the Speaker of the House of Assembly of 1882 of a House committee "with authority to sit during the recess to examine into the question of taxation of railroads and other corporations." The members appointed on this committee were Messrs. McAdoo, Smith, Sisson, Fielder and Dunn, the Speaker. Their report is contained in the Legislative Documents of 1883, and recommended that the local taxation of railroads be left in the hands of the municipal authorities,

the roads to be assessed in the same manner and at the same local rate as the property of individuals. These recommendations, however, were not followed out, and the ensuing year saw the passage of the general railroad tax act of 1884, which incorporated the present system of taxing this class of property. This system is too well known to need elaboration in the present article. The original act and its various supplements and amendments can be found in: P. L. 1884, page 142; Supplement 1886, page 401; Amendments 1888, pages 269 and 376; Supplement 1891, page 165; Supplement 1894, page 286; Supplement 1897, page 147; Supplement 1898, page 59.

Commission of 1890: By the year 1890 the tax laws of New Jersey, with their numerous amendments and supplements passed since the general act of 1866, had grown in number to the point of confusion. The commission of 1890 was appointed as a result of the recommendations in Governor Abbett's annual message, under an Assembly joint resolution, with instructions to take into consideration the taxation of property and prepare a bill for that purpose. This commission consisted of the Hon. Barker Gummere, chairman; Hon. Moses K. Everett, Hon. John J. Gardner, Hon. Foster M. Voorhees, Hon. Frederick C. Marsh and Hon. John P. Stockton. A preliminary report was made by the commission, and a general tax bill was presented for consideration. This bill was well considered and widely comprehensive. In addition to providing for the entire general machinery of taxation, it called for sworn statements, with complete inventories, from taxpayers, in order to reach personal property, and created a State Board of Taxation to enforce the tax laws, correct inequalities in assessments, and distribute information to taxing officials. The bill was passed, but the provision for the inventories of personal property was stricken out. See P. L. 1891, page 189.

Commission of 1896: In 1890 the following concurrent resolution was passed by the Legislature:

Resolved (the Senate concurring), That the Governor be and he is hereby empowered to appoint a commission, to consist of five persons to be by him selected, to investigate the whole sub-

ject of assessment and taxation of the property in this State and report to the next session of the Legislature the result of such investigation, with recommendation of such legislation as such commission shall deem proper; such commission, when appointed, shall have full power to use any process of the courts of this State to compel the attendance of witnesses and the production of books, papers and documents."

The persons appointed by Governor Griggs to serve on this commission were Hon. John P. Stockton, Mr. Abraham M. Reynolds, Hon. James S. Rusling, Hon. William H. Vredenburgh and Mr. Charles C. Black. The result of the deliberations of this commission were embodied in a report (1897), preceded by the following general recommendations:

First: That the State relinquish its revenue of one-half of one per cent., or five dollars on the thousand dollars of valuation derived from the property used for railroad and canal purposes on real estate other than the main stem and known as "second class property." * * * This amount so relinquished to be distributed to the local taxing districts in proportion to the amount of such property located in the several local taxing districts.

Second. That the act of 1884 as revised and amended in 1888, under which the main stems of railroads and water ways of canals, the franchises and tangible personal property, etc., are taxed, be preserved, except in the above particular.

This led to the enactment in the same year of a statute which apportions the tax collected on second class railroad property among the various taxing districts through which the railroads run, thus giving this revenue to the municipalities instead of the State.

Mr. Charles C. Black, one of the members of the commission, made a supplementary report, recommending that the real estate used for railroad and canal purposes be taxed at the rates of the taxing districts in which they were situated, and that the tax on such property be equalized with the taxes paid by individuals.

Mr. Rusling, another member of the commission, made a special report, suggesting a number of changes in the detailed

machinery of the general tax laws, with a view to a more efficient enforcement of the law.

CONSTITUTIONAL AND STATUTORY PROVISIONS RELATING TO TAXATION OF RAILROADS IN THE DIFFERENT STATES.

The constitutional provisions which are summarized in this chapter do not include all which apply to State and local fiscal relations, but only such as appear to have a particular bearing on the making and administrtion of State laws for the aiding of and taxation of transportation companies. These summarized provisions may or may not apply to other classes of persons and property; but neither alternative may be inferred to hold unless express statement is made to that effect. * * * Generally, where transportation companies are subject to direct taxes by the State, shares of stock are not assessed to individual holders, so that tax provisions on this subject are not digested.

ALABAMA.

CONSTITUTIONAL PROVISIONS.

Taxes on property: All taxes on property shall be levied in exact proportion to the value thereof. (Art. XI, sec. 1.)

The property of private corporations, associations and individuals shall forever be taxed at the same rate. (Art. XI, sec. 6.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies are required to make annual returns to the State Auditor of all property employed in operating their lines. Upon the basis of these schedules, the State Board of Assessment value the railroad property "upon the consideration of what a clear fee simple title thereto would sell for under the conditions under which that character of property is most usually sold for." This valuation

is then apportioned among the counties upon a pro rata mileage basis, for the computation and collection of the tax. (Code of 1896, secs. 3964-3973.)

License tax: Railroad companies also pay a license tax on gross earnings to cover the expenses of the railroad commission. (Code of 1896, sec. 3489.)

Local taxation: Railroad real estate and personalty, not in the right of way, are locally assessed and taxed. A local tax is also levied on the basis of the valuations apportioned by the State. (Code of 1896, secs. 3964-3973.)

ARIZONA.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Rev. Stat. Arizona, 1887, par. 2649.)

Exemption: Railroads hereafter constructed shall be exempt from taxation for a period of ten years after the passage of this act. (Laws of 1899, p. 79.)

Listing, valuation, etc.: Railroad companies are required to make full annual reports of property used in operation to the Territorial Board of Equalization, by whom a valuation is set on property and franchises. Rolling stock is valued on a pro rata mileage basis. The total valuation is apportioned among the counties for the computation and collection of the usual tax rates.

Local taxation: Property other than that of operation is locally assessed and taxed.

ARKANSAS.

CONSTITUTIONAL PROVISIONS.

The power to tax corporations and corporate property shall not be surrendered nor suspended. (Art. XVI, sec. 7.)

The liability of any railroad or other corporation to the State shall never be exchanged or remitted. (Art. V, sec. 33.)

Taxes on property: All property shall be taxed according to its value. (Art. XVI, sec. 5.)

Rolling stock shall be considered and taxed as personalty. (Art. XVII, sec. 11.)

Reports of railroad companies: Railroads shall make annual reports of their acts and doings to the Auditor of Public Accounts. (Art. XVII, sec. 13.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies are required to make return to the Secretary of State sworn schedules of property on the right of way and of rolling stock (both hired and leased), including a statement of the actual aggregate value of the various elements of railroad property. On the basis of these returns, the State Board of Railroad Commissioners fix a valuation, which is apportioned among the local districts for the computation and collection of the usual property taxes. Rolling stock is valued upon a pro rata mileage basis. In case of failure to list, witnesses may be summoned and books, records, etc., examined. (Sandels & Hill's Digest, 1894, secs. 6466-6476.)

Local taxation: Real estate and personalty not in the right of way are assessed and taxed locally. Sandels & Hill's Digest, 1894, sec. 6475.) A local tax is levied also on the valuation apportioned by the State.

CALIFORNIA.

CONSTITUTIONAL PROVISIONS.

Taxes on property and franchises: All property in the State shall be taxed according to its value—franchises, moneys, credits, bonds, stocks, dues and all other property included. (Art. XIII, sec. 1.)

Lands and improvements thereon shall be separately assessed. (Art. 13, sec. 2.)

The Legislature shall have power to provide for the payment of all taxes on real property by installments. (Art. XIII, sec. 7.)

The franchise, roadway, roadbed, rails and rolling stock of all railroads shall be assessed at their actual value by the State Board of Equalization (provided for in section 9); which valuation shall be apportioned among the local districts on a pro rata mileage basis. (Art. XIII, sec. 10.)

Every obligation by which a debt is secured, *except as to railroads and quasi-public corporations*, shall be taxed at its value, and the collateral property shall be taxed at its value, less the value of the obligation. (Art. XIII, sec. 4.)

Incomes: Incomes may be taxed as prescribed by law. (Art. XIII, sec. 11.)

Railway reports and accounts: The State Railroad Commissioners shall have power to summon persons and papers, and shall prescribe a uniform system of railway accounting. (Art. XIII, sec. 22.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies are required to furnish full sworn statements of property, stock and business. On the basis of this information the State Board of Equalization assesses franchise, roadway, roadbed, rails and rolling stock in the State at a pro rata mileage basis. Franchises derived from the United States are exempt from taxation. Upon the valuation arrived at by the Board of Equalization, the taxes are levied and collected by the State at the average rate of taxes on property in the State. To aid in arriving at valuations, provision is made for the summoning of witnesses, corporations, records, books, etc., by the State Board of Equalization. (California Political Code, 1897, secs. 3664-3671.)

Local taxation: Railroad property other than that of operation is locally assessed and taxed. Local districts receive also

a share of the tax on the values determined by the State Board of Equalization. (California Political Code, 1897, sec. 3663.)

COLORADO.

CONSTITUTIONAL PROVISIONS.

Uniform property tax: Taxes shall be uniform upon the same class of subjects within the same jurisdiction. All property shall be taxed at its just value. (Art. X, sec. 3.)

Corporation taxes: The power to tax corporations and corporate property shall never be relinquished nor suspended. (Art. X, sec. 9.)

All corporations shall be subject to taxation for State and local purposes. (Art. X, sec. 10.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: These companies are required to make returns to the State Board of Equalization, upon the basis of which the franchise, roadbed, track and rolling stock are valued upon a pro rata mileage basis, and said value apportioned among the counties for the computation and collection of the usually general property taxes. (Mill's Annotated Statutes, secs. 3840-3807.)

Local taxation: Real estate (including stations and other buildings, but not track) and personalty are locally assessed and taxed. There is also local tax on the basis of the values apportioned by the State (Mill's Annotated Statutes, secs. 3804-3807.)

CONNECTICUT.

STATUTE PROVISIONS.

RAILROAD COMPANIES:

State taxation: Railroad companies are required to make annual reports to the State Comptroller, setting forth their capital

stock and indebtedness. They then pay the State, as a franchise tax, one per cent. on the market value of their capital stock, in addition to one per cent. on the par value of their funded and floating debt, or on the actual value if below par. In determining the valuation, deduction is made for any part of the indebtedness which is held in trust as part of a sinking fund, as well as for the amount of local taxes on real estate. As the valuation represents only that portion of the capital stock and debt assignable to Connecticut, the valuation is determined on a pro rata mileage basis as compared with the total mileage. (Gen. Stat. of Conn., 1888, 3919-3927. Also, Laws of 1899, pp. 1001, 1087.)

Local taxation: Railroads are locally taxed on their real estate not directly used for purposes of operation. (Ibid.)

DELAWARE.

CONSTITUTIONAL PROVISIONS.

Nothing specific.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Revised Code of 1893, pp. 47-51.)

Tax on net earnings: Railroad companies, as well as canals, make annual returns of business to the State, as by law required. They then pay to the State a tax of ten per cent. on their net earnings in the State, as determined by the proportion of mileage within the State to total mileage; besides a tax of one-half of one per cent. on a pro rata mileage portion of capital stock.

Passenger and locomotive taxes: Railroad and navigation companies pay the State a tax of ten cents on each passenger carried by steam power on land or water in the State. The law grants permission to raise the rate of fare to the extent of the tax.

Railroad companies (excepting the P., W. & B. R. R. Co., which is otherwise provided for) may pay in lieu of the passen-

ger tax a sum which bears the same proportion to the gross receipts from passenger business between points in the State as the sum of $13,000 bears to the like business of the P., W. & B. R. R. Co.

In addition, there is a special tax of $100 on each locomotive, $25 on each passenger car and $10 on each freight car and truck used within the State.

The Philadelphia, Wilmington and Baltimore Railroad Company pays to the State annually the sum of $27,000 in lieu of all taxes but the passenger tax, and this latter may be commuted by the annual payment of the specific sum of $13,000. (Revised Code of 1893, p. 52.) The Delaware Railroad Company pays $3,000 annually in lieu of all other taxes. (Revised Code of 1893, p. 54.)

Local taxation: Railroad real estate, including buildings on the right of way, is locally assessed and taxed.

FLORIDA

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: Taxation shall be at a uniform and equal rate. All property shall be justly valued. (Art. IX, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1895, pp. 28-31.)

Listing, valuation, etc.: Railroad companies are required to make full annual reports to the State Comptroller, setting forth the property used in operation, its value, and the amount thereof in each county and municipality. The value of the rolling stock is apportioned pro rata to each mile of track. The Comptroller notifies the proper official in each county and municipality through which the road runs of the number of miles of track, its proportionate value, and the proportionate value of other taxable propety. The tax is levied and collected in the various local divisions at the usual property rate.

Local taxation: Railroad lands not in the right of way are locally assessed and taxed. Local taxes are levied in addition on the values apportioned by the State.

GEORGIA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: Taxation shall be uniform upon the same class of subjects, and ad valorem upon all property subject to taxation. (Art. 7, sec. 2, par. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies are required to make returns of their entire property to the Comptroller-General of the State. On the basis of these returns the Comptroller-General determines the basis of the State levy. Rolling stock is valued upon a pro rata mileage basis. The tax is paid into the State treasury. (Code of 1895, secs. 779-783.)

Local taxation: Counties (Code of 1895, sec. 780) and municipalities (Code of 1895, secs. 784-789) assess and tax all railroad property within their respective limits.

IDAHO.

CONSTITUTIONAL PROVISIONS.

Property and license taxes: Taxes shall be uniform upon the same class of subjects within the same jurisdiction. A just valuation shall be secured for the taxation of all property. (Art. VIII, sec. 5.)

Every person and corporation shall pay a tax on property. A license tax may also be imposed. (Art. VII, sec. 2.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1895, pp. 114-118.)

Listing, valuation, etc.: Railroad companies are required to return to the State annual lists of their entire property of operation, including rolling stock, hired, leased or used. The State Board of Equalization sets a valuation upon each railway line, and apportions the same among the local districts for the computation and collection of the tax.

Local taxation: Property not in the right of way is locally assessed and taxed. A tax is levied also on the values apportioned by the State.

ILLINOIS

CONSTITUTIONAL PROVISIONS.

Franchise taxes: Taxation shall be in proportion to the value of property, but telegraph and express interests, owners and users of franchises and privileges, shall be taxed as directed by law, the tax to be uniform as to the class upon which it operates. (Article IX, sec. 1.)

Reports of railroad companies: Annual reports of all acts and doings, as by law required, shall be furnished the State by railroad companies. (Article XI, sec. 9.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies are required annually to return to the county clerks schedules of taxable property, with reference to its amount, kind and value. These schedules must contain a list of the property held for right of way, length of main and side tracks, and a description of the realty, including a statement of the value of improvements and stations located on the right of way. The above property is denominated

"railroad track." A list of rolling stock used on the line must be included in the schedule.

In addition to the local schedules, annual sworn statements must be filed with the auditor of public accounts, setting forth the entire property of operation, the actual value of the capital stock, the bonded indebtedness and the total listed valuation of all tangible property in the State. On the basis of this schedule, the State Board of Equalization assesses the property and equalizes the valuations of the counties. These valuations as assessed and equalized are then entered by the county clerks in the railroad tax book, and the taxes are extended and collected. The rule for valuation by the State Board requires that the total valuation as determined by that body shall include the value of capital stock over and above the value of tangible property, and that the value of real and personal property locally assessed where situated shall be deducted. Franchises granted by the State must be listed as personalty at their full value. (Starr & Curtis' Annotated Statutes of Illinois, pp. 3442-3444.)

Local taxation: "Railroad track" is listed and taxed in the several towns, villages, districts, cities and counties upon a mileage basis, excepting the side tracks, turnouts, station houses. depots, machine shops and other like fixed property, which are assessed and taxed where located. Rolling stock is taxed in the various local districts upon a mileage basis. (Annotated Statutes, p. 3325.)

Personalty and real estate, other than "railroad track" and rolling stock are listed where situated, and are treated in all respects like the similar property of individuals.

INDIANA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: There shall be a uniform and equal rate of assessment and taxation. All property shall be justly valued. (Article X, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies are required to list their property annually with the auditors of the various counties. Returns must be made at the same time to the auditor of the State. These returns must be very full and must contain a detailed statement concerning the entire railroad property, capital stock and bonded debt. On the basis of these returns, the State Board of Tax Commissioners fixes upon the property a valuation, which is apportioned among the various local tax districts, where the tax is computed and collected at the usual property rate. Rolling stock is assessed on a pro rata mileage basis; and such as is hired, leased or used (but not owned) by any railroad company, is assessed against that company according to the proportion of the year it uses the same. All tax assessing officers in the State are empowered to examine the books and records of transportation companies. (Horner's Annotated Indiana Statutes, secs. 6340-6354.)

Local Taxation: Real estate and personalty not used for operating purposes are assessed and taxed directly by local authorities, in addition to the local axes on the valuations apportioned by the State authorities. (Horner's Annotated Indiana Statutes, secs. 6340-6354.)

IOWA.

CONSTITUTIONAL PROVISIONS.

Corporate property: Corporate property shall be taxed the same as individual propery. (Atrticle 8, sec. 2.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Code of 1897, secs. 1334-1342. Also laws of 1900, Chapter 44.)

Listing, valuation, etc.: Railroad companies are required to make annual statements to the executive council of all property of

peration, as well as the earnings and expenses of operation, within the State. Upon the basis of these returns the executive council assess railroad property at its actual cash value, taking into consideration the earning capacity of the road. Rolling stock is valued on a pro rata mileage basis. Sleeping and dining cars are assessed to the railroads using the same in the same manner as the ordinary rolling stock of those roads. The valuation reached by the executive council is apportioned among the counties for the computation and collection of the tax.

Local taxation: Railroad real estate not used for purposes of operation, grain elevators, and railroad bridges over the Mississippi and Missouri rivers are locally taxed where situated. There is also a local tax on the values apportioned by the State.

KANSAS

CONSTITUTIONAL PROVISIONS.

Uniform Taxation: The Legislature shall provide for a uniform and equal rate of assessment and taxation. (Article 11, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Listing, valuation, etc.: Upon the basis of the reports made by the railroad companies the State Board of Railroad Assessors values railroad track, roadbed, right of way, water and fuel stations, buildings, machinery and rolling stock upon a pro rata mileage basis (including the cars of other companies used on the railroads of the State), moneys, credits and franchists. The Board is empowered to examine the books and papers of railroad companies. Through the State Auditor an apportionment of the valuation thus determined is made among the counties, where further apportionment is made among the smaller districts, in which the tax is computed and collected at the usual property rate. (General Statutes of Kansas, pp. 896-899.)

Local taxation: Railroad real estate and personal property not in the right of way is locally assessed and taxed. A local tax is also levied on the basis of the valuations as apportioned by the State. (Gen. Stat. of Kansas, pp. 896-899.)

KENTUCKY.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: All taxes shall be levied and collected according to general law, and shall be uniform upon all property subject to taxation within the limits of the taxing jurisdiction. (Sec. 171.) Property shall be assessed at its fair cash value. (Sec. 172.)

Corporation taxes: Corporate property shall pay the same rate of taxation as individual property; but the assembly may provide for taxes on income, license or franchises. (Sec. 174.)

Railroad taxes: The assembly may provide by law how railroads and railroad property shall be assessed and taxed. (Sec. 182.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Barbour & Carroll's Kentucky Statutes, secs. 4099-4104.)

Listing, valuation, etc.: Railroad companies are required to make annual returns of total property in the State to the State Auditor of Public Accounts. Only a pro rata mileage proportion of rolling stock is included. On the basis of these and local returns a valuation of railroad property is determined by the railroad commission, which is also empowered by law to examine corporation books, records, etc. Upon this valuation the State tax is levied at the usual State rate on real estate.

Local taxation: Each County Superintendent of Common Schools furnishes every railroad company operating within his school district with a statement of the boundaries of that district.

County clerks make similar statements concerning the other taxing districts through which railroad lines run. Railroad companies are then subject to taxation in each local district, as bounded by the above officers, at the usual property rate.

LOUISIANA.

CONSTITUTIONAL PROVISIONS.

Uniform taxation: Taxation shall be uniform on the same class of subjects in the same jurisdiction. (Article 225.)

RAILROAD, TELEGRAPH, TELEPHONE, SLEEPING CAR AND EXPRESS COMPANIES:

A State Board of Appraisers shall assess the property of such companies. (Article 226.)

Reports: The railroad, express, telegraph, telephone, steamboat and sleeping car commission shall have power to compel the production of books and papers of transportation companies, to summon witnesses, etc. (Article 284.)

Local taxation: Valuations of property for State taxation shall be taken as the basis for local taxation. (Article 225.)

STATUTE PROVISIONS.

Listing, valuation, etc.: The State Board of Appraisers values all railroad property. For this purpose it may require all necessary information from the various companies. Due returns are made to the local civil divisions of the property assessed and its valuations in their separate jurisdictions. (Laws of 1900, pp. 189, 190.)

Local taxation: All railroad property is assessed and taxed in the local districts. (Laws of 1898, pp. 363, 364.)

MAINE.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: All taxes on property shall be assessed equally according to the value thereof. Article IX sec. 8.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Freeman's Supplement to Maine Statutes, 1885-1895, pages 70, 71, 347.)

State Taxation: Railroads pay an annual excise tax to the State for the privilege of exercising their franchises. Aside from the special tax for the support of the Board of Railroad Commissioners, this tax is in lieu of other State taxes. The tax is graduated according to gross receipts per mile of line, as follows:

One-fourth of one per cent. on gross receipts of $1,500 or less per mile:

One-half of one per cent. on gross receipts between $1,500 and $2,250 per mile.

One-fourth of one per cent. on gross receipts for each additional $750 per mile, the rate never to exceed 3¼ per cent.

Interstate receipts are prorated on a mileage basis.

Local taxation: Railroad real estate not employed for the purpose of operation is locally assessed and taxed. Cities and towns receive from the State one per cent. on shares of railroad stock held therein.

MARYLAND.

CONSTITUTIONAL PROVISIONS.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Poe's Supplement to Public Gen Laws 1890-1898, pp. 541-551.)

State taxation: A State tax as a franchise tax is annually levied upon the gross receipts of railroad companies, as follows:

Eight-tenths of one per cent. on the first $1,000 per mile of gross earnings, or on the total earnings if they are less than $1,000 per mile; one and one-half per cent. on all gross earnings above $1,000 per mile but not exceeding $2,000 per mile; and two per cent. on all gross earnings over $2,000 per mile. Earnings from interstate business are prorated on a mileage basis. Annual reports are required of the railroad companies, and railroad officials may be summoned as witnesses by the State tax commissioners, who determine the amount of the tax to be paid.

Local taxation: All railroad property is locally assessed and taxed, rolling stock upon a mileage basis as apportioned among the counties by State officials. Railroad property is assessed and taxed for county and municipal purposes like the property of individuals.

MASSACHUSETTS.

CONSTITUTIONAL PROVISIONS.

Nothing specific.

STATUTE PROVISIONS.

ALL TRANSPORTATION AND TRANSMISSION COMPANIES: (Public Statutes of Massachusetts, Chapter 13, secs. 38–41.)

State tax: All domestic companies are taxed under the General Corporation Tax Law of the State. Annual returns of capital stock, property, etc., are made by the various companies to the tax commissioner of the State, who assesses their capital stock at its true market value, as representing the true value of the corporate franchise. Deductions are then made for real estate and fixed machinery locally assessed and taxed. The remaining valuation is subject to a State tax at the average rate of the local assessors throughout the State. Railroad, telegraph and telephone companies doing an inter-state business are taxed only on a pro rata mileage proportion of their capital stock. Provision is made by law for the inspection of corporation books, records, etc., and for the examination of the officers of corporations.

Local taxation: Local taxes are levied on real estate and machinery. Foreign transportation companies, which are not taxable under the General Corporation Tax Law, are assessed by the local assessors upon such property as may be found, and Massachusetts shareholders are locally taxable on their shares.

There are no local taxes on the shares of corporations which pay the State franchise tax, but there is a distribution of "corporate excess" among the local districts, according to the number of shares held in the respective districts.

Construction companies: All companies formed in the State to construct railroads or railroads and telegraphs are required to pay a tax of one-twentieth of one per cent. on the par value of their capital stock. (Supplement to Pub. Stat. of Massachusetts, 1889-1895, pp. 1338, 1339.)

MICHIGAN.

CONSTITUTIONAL PROVISIONS.

Property taxes and specific taxes: The Legislature shall provide for a uniform rule of taxes levied on property, except on property paying specific taxes. (Art. XIV, sec. 11.) All assessments hereafter authorized shall be on property at its cash value. (Art. XIV, sec. 12.) The State shall continue to collect the specific taxes provided for by existing law, and may provide for the collection of specific taxes from railroads and other corporations hereafter created. (Art. XIV, sec. 10.) All specific taxes (the existing railroad taxes are such) shall be applied for educational purposes. (Art. XIV, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Compiled Laws of Michigan, 1897, pp. 1974-1976, 2000).

State taxation: Railroad and depot companies pay a "specific tax upon property and business." This tax is levied upon the basis of gross earnings, as follows:

Two and one-half per cent. on gross income when earnings per
le of road in State are $2,000 or less.
Three and one-quarter per cent. on gross income when earnings
r mile of road in State are from $2,000 to $4,000.
Four per cent. on gross income when earnings per mile of road
State are from $4,000 to $6,000.
Four and one-half per cent. on gross income when earnings
mile of road in State are from $6,000 to $8,000.
Five per cent. on gross income when earnings per mile of road
State exceed $8,000.
Ten per cent. on gross income of depot companies in excess of
0,000 per mile.
Inter-state lines pay the tax on a pro rata mileage proportion
their gross income. The proceeds of the railroad tax are
voted to the primary school fund.
Location taxation: The above State tax is in lieu of all other
lroad taxes, except the tax locally assessed on such railroad
operty as is not employed for purposes of operation. (Compiled
ws of Michigan, 1897, pp. 1257-1258.)

EIGHT LINE, SLEEPING AND PARLOR CAR COMPANIES:

These companies pay a State tax of two and one-half per cent.
their gross receipts from business done in the State. (Com-
ed Laws of Michigan, 1897, pp. 1268-1269.)

MINNESOTA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: All taxes in the State shall be as
arly equal as may be, and taxes on property shall be equalized
d uniform throughout the State. (Article IX, sec. 1.)
Railroads: Any law providing for the amendment or repeal
the existing system of levy on the gross earnings of railways
all be submitted to vote of the people. (Article IV, sec. 32 (a).)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Statutes of Minnesota, 1894, se
1169-1681, and Laws of 1897, p. 32.)

Railroad companies are required annually to report to t
State railroad and warehouse commission their gross earnin
for the year, separating interstate from intrastate earnings. Th
are then taxed on a pro rata mileage proportion of their gro
earnings. During the first three years of operation the rate
one per cent., during the next seven years two per cent., a
thereafter three per cent. This tax is paid to the State Treasur
and is in lieu of all other taxes, either State or local, exceptin
local taxes on lands the subject of grant either by the State
by the United States.

MISSISSIPPI.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property; railroads and other corporation
Taxation shall be uniform on all property. But the Legislatu
may provide for a special mode of assessment for railroads a
for other corporate property not situated wholly in one coun
(Sec. 112.) The property of corporations shall be taxed in t
same way and to the same extent as the property of individua
Sec. 181.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Annotated Code of Mississippi, se
3875-3876.)

Listing, valuation, etc.: Railroad companies are required
make annual reports to the State Railroad Commission, settin
forth their property, taxable and non-taxable, their capital sto
and receipts for the year and the values of their respective fra

ises. The Railroad Commission then assesses the property of ese companies, taking into consideration the value of the franise and of the capital stock engaged in business in the State. his valuation is apportioned among the counties for the compuion and collection of the tax.

Privilege tax: (Laws of 1896, p. 44.) Railroads also pay the ate an annual privilege tax. For this purpose they are divided o four classes, according to their gross earnings per mile for e year. The taxes levied on each class are as follows: First ss, $20 per mile; second class, $15 per mile; third class, $10 r mile; narrow-gauge class, $2 per mile.

Local taxation: Railroad real estate not directly employed for affic operations is locally assessed and taxed. There is also a al tax on the values apportioned by the State.

MISSOURI.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: Taxes shall be uniform upon the me class of subjects within the same taxing jurisdiction. (Arle X, sec. 3.) Property subject to taxation shall be taxed in oportion to its value. (Article X, sec. 4.)

Railroads: Railroads shall be subject to taxation for State d local purposes on their property, gross earnings, net earnings, anchises and capital stock. (Article X, sec. 5.)

STATUTE PROVISIONS.

AILROAD COMPANIES: (Revised Statutes of Missouri, 1899, pp. 2169-2181.)

Listing, valuation, etc.: Railroad companies are required to turn to the State Auditor detailed annual statements of their operty of operation and its actual value. Duplicate statements e made to the County Clerks of the respective counties of propty therein situated. These are certified by the county courts

and forwarded to the State Auditor, by whom they are la before the State Board of Equalization. This board then a sesses the railroad property (rolling stock on a pro rata milea basis), and apportions the valuation among the counties for tl computation and collection of the tax. In making the asses ments the board has access to railroad books, records, etc.

Local taxation: All railroad property not assessed by tl State (*i. e.*, lands, machine and work shops, roundhouses, war houses and other buildings, goods, chattels and office furniture is assessed and taxed locally. There is also a local tax on tl values apportioned by the State.

MONTANA.

CONSTITUTIONAL PROVISIONS.

Exemption of stocks: Stocks in any company shall not l taxed when the property represented by such stocks is taxe (Article XII, sec. 17.)

Uniform tax on property—license taxes: Taxes shall be un form upon the same class of subjects in the same jurisdictio (Article XII, sec. 11.) The Legislature shall levy a unifor rate of assessment. All property shall be taxed at its just valu The Legislature may also impose a license tax on persons ar corporations. (Article XII, sec. 1.)

Railroads: The franchise, roadway, roadbed, rails and rollir stock of all railroads operating in more than one county shall l assessed by the State Board of Equalization, and the valuatic apportioned among the local districts on a pro rata mileage basi (Article XII, sec. 16.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Booth's Montana Code, secs. 369 3737-3743.)

Listing valuation, etc.: Railroad companies are required make to the State full annual statements of their property

operation, capital stock, earnings and indebtedness. On the basis of these returns, the State Board of Equalization assesses franchise, roadbed, rails and rolling stock (whether owned, hired or leased). The valuation thus determined is apportioned among the counties on a mileage basis for the computation and collection of the tax.

Local taxation: Railroad real estate not on the right of way, including stations and depots, is locally assessed. There is also a local tax on the values apportioned by the State. Railroads operating in a single county are locally assessed and taxed on their property and franchises. (Booth's Montana Code, sec. 3719.)

NEBRASKA.

CONSTITUTIONAL PROVISIONS.

Property and franchise taxes: Property and franchise taxes shall be taxed according to their value in such manner as the Legislature shall direct. (Article IX, sec. 1.)

Reports of Railroad Companies: Annual reports shall be made by railroad companies to the State Auditor. (Article XI, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Compiled Statutes of Nebraska (1897, pp. 912-913.)

Listing, valuation, etc.: Railroad companies are required to make annual reports of their property and its value to the State. On the basis of these reports the State Board of Equalization assesses all property of operation and apportions the valuation thus determined among the counties, where the tax is computed and collected.

Local taxation: Real and personal property of railroads, not in the right of way, is locally assessed and taxed. There is also a local tax on the values apportioned by the State.

NEVADA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: There shall be a uniform and equal rate of assessment and taxation on all property. (Article X, sec. 1.)

Corporation: All corporate property shall be subject to taxation the same as the propety of individuals. (Article VIII, sec. 2.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Cutting's Compiled Laws of Nevada, 1861-1900, secs. 1236-1239.)

Listing, valuation, etc.: Railroad companies make annual returns of property, which is assessed by the State Board of Assessment and Equalization. The valuation determined by that Board is apportioned among the counties for the computation and collection of the tax. In fixing values, statute provision requires that the railroad property shall not be treated as so much "land covered by right of way" nor "as so much iron," but as a complete operated line of road. Rolling stock is valued and apportioned on a pro rata mileage basis.

Local taxation: All railroad property is locally taxed.

NEW HAMPSHIRE

CONSTITUTIONAL PROVISIONS.

Uniform taxes: The general court shall have power to levy proportional and reasonable assessments, rates and taxes upon all persons and estates within its limits. (Part 2, Article V.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Public Statutes and Session Laws in force January 11, 1901, pp. 224-226.)

Exemption: Railroads are exempted from taxation for a period of ten years after their construction.

State taxation: The State Board of Equalization assesses all railroad property. The various companies are required to submit all evidence required of them by the Board. The tax is levied on the value of road, rolling stock and equipment, and is in lieu of all taxes on stocks.

Local taxation and local distribution: Real estate not in the right of way is locally assessed and taxed. The proceeds of the State tax on railroads is disposed of as follows:

1. One-fourth of the tax is paid to the towns through which the roads run according to the share of the capital invested in each town for buildings and right of way.

2. To each town in the State in which any railroad stock is owned, such proportion of the residue of the tax as the number of shares owned in such town bears to the total number of shares of capital stock.

3. The remainder is retained by the State.

In order to carry out this distribution the selectmen annually make invoice of the shares of stock owned by the inhabitants of their respective towns to the State treasurer. The various railroad companies also give a list of the same to the selectmen.

NEW JERSEY

CONSTITUTIONAL PROVISIONS.

All property shall be assessed for taxation under general laws and by uniform rules, according to its true value.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (General Statutes of N. J., 1895, pp. 3322-3335.)

Listing, valuation, etc.: Railroad companies make annual returns of property, stock and indebtedness, upon the basis of

which, in addition to corporation books, etc., the State Board of Assessors set a valuation upon all railroad property and franchises. A tax of one-half of one per cent. is levied on this valuation for State purposes.

Local taxation: In addition to the State tax, the State collects a tax at the local rate upon railroad real estate in each tax district, the proceeds of which are apportioned among the tax districts in which such property is situated. Other local railroad property not used for purposes of operation is locally assessed and taxed. (Laws of 1897, p. 147.)

NEW MEXICO.

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Exemption: Railroads are exempt from taxation for a period of six years after their completion. (Compiled Laws of New Mexico, 1897, secs. 3880-3881.)

Taxation: Railroad property is assessed and taxed like the property of individuals. (Compiled Laws of New Mexico, 1897, sec. 4025.)

NEW YORK.

CONSTITUTIONAL PROVISIONS.

None specifically applying to railroads.

STATUTE PROVISIONS.

TRANSPORTATION AND TRANSMISSION COMPANIES:

State taxation: All transportation and transmission companies, in common with other corporations and joint stock companies, are required to make annual returns to the State Comptroller. Upon the basis of these returns the various companies

are taxed upon their franchises, on the basis of their capital stock employed in the State, at the rate of one-fourth mill on the $1 for each one per cent. of dividend declared, provided the dividend is at least six per cent. on the par value of the stock. If the dividend is under six per cent., or if none has been declared, the tax rate is one and one-half mills on each $1 of the actual value of the capital stock.

Every transportation and transmission company, in addition to the above tax, must pay a tax "upon its corporate franchise or business in this State" of one-half of one per cent. upon its gross earnings from business done in the State.

Provision is made for the examination of corporation books, records, witnesses, etc., by the State Comptroller. (General Laws, Chapter XXIV, secs. 182, 184, 189.)

Local taxation: All companies are locally assessed and taxed on their property. (General Laws, Chapter XXIV, secs. 182, 184, 189.)

NORTH CAROLINA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property; franchise and income taxes: Taxation shall be by uniform rule on all property. The General Assembly may also lay taxes on franchises and income, provided the property from which income is derived is not taxed. (Article V, sec. 3.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1899, Chapter 15 and Laws of 1900, p. 64.)

Listing, valuation, etc.: Railroad companies annually report their property of operation to the State Corporation Commission. The Commission determines the value of this property as if it were the property of individuals. Rolling stock is valued on a pro rata mileage basis. The final valuation is apportioned

among the counties for the computation of the tax. The tax for State purposes is paid directly into the State treasury. The Commission is empowered to examine books, papers, etc., in determining valuations.

Local taxation: Railroad property other than that of operation is locally assessed and taxed. There is also a local tax on the values apportioned by the State.

NORTH DAKOTA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: All property shall be taxed by a uniform rule according to its true value. (Sec. 176.)

Railroads: The franchises, roadway, roadbed, rails and rolling stock of ralroads shall be assessed by the State Board of Equalization at its actual value, and such assessed valuation shall be apportioned among the local taxing districts on a pro rata mileage basis. (Sec. 179.) The Legislature may provide for the payment of a percentage of railway gross earnings in lieu of the above taxes on property, except the local taxes on property not in the right of way. (Sec. 176.)

Reports by railroad companies: Railroads shall make annual reports to the State as prescribed by law. (Sec. 140.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Revised Code of North Dakota, 1895, secs. 1331-1333.)

Listing, valuation, etc.: Railroad companies make annual returns of their property to the State Board of Equalization. On the basis of these returns franchise, roadbed, roadway, rails and rolling stock used in the State are assessed at their actual value. Corporation books and papers, as well as witnesses, may be summoned to assist in determining valuations. The valuations are apportioned among the counties for the computation and collection of the tax.

Local taxation: Property other than that of operation is locally assessed and taxed. There is also a tax on the values apportioned by the State.

OHIO.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: All propertty shall be taxed according to a uniform rule at its true cash value. (Article XII, sec. 2.)

Corporations: Corporate property shall forever be taxed like the property of individuals. (Article XIII, sec. 4.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Bates' Annotated Ohio Statutes, 1897, secs. 2770-2777, *et seq.*)

Listing, valuation, etc.: The auditors of the various counties are constituted a board of appraisers for railroads. The various companies make annual returns of property and upon request are required to submit books, records, etc. Upon the basis of this information all property of operation, moneys and credits are assessed upon a pro rata mileage basis. The valuation thus determined is apportioned among the counties for the computation and collection of the tax.

Excise tax: Railroads are required to pay the State an annual excise tax of one-half of one per cent. on gross earnings from business done in the State, including a mileage proportion of inter-state receipts.

Local taxation: Real estate not in the right of way is locally assessed and taxed.

There is also a local tax on the values apportioned by the State.

OKLAHOMA.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1895, pp. 224-229; see also Laws of 1889, p. 219.)

Listing, valuation, etc.: Railroad companies are required to make annual reports to the Territory. All property of operation, moneys and credits are assessed at their actual cash value by the Board of Railroad Assessors, who are empowered also to examine corporation books and records, and to summon witnesses, etc. The valuation determined upon is apportioned among the counties for the computation and collection of the tax. Cars used by a railroad, but not owned by it, are listed against the company to which they belong.

Local taxation: Real estate not in the right of way is locally assessed and taxed. There is also a local tax on the values apportioned by the State.

OREGON.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: There shall be a uniform rate of assessment and taxation. All property shall be taxed at its just value. (Article IX, sec. 7.)

STATUTE PROVISIONS.

TRANSPORTATION COMPANIES: (Hill's Annotated Laws of Oregon, 1892, pp. 1281-1284.)

Transportation companies generally are assessed and taxed on their property in the same manner as individuals.

Railroad rolling stock, including all cars hired or leased, is annually reported by the managing officers of railroads at their places of business, and is apportioned among the counties on a

pro rata mileage basis. Rolling stock engaged in inter-state business is assessed on a pro rata mileage portion.

PENNSYLVANIA.

CONSTITUTIONAL PROVISIONS.

Uniform taxation: All taxes shall be uniform on the same class of subjects and shall be levied and collected under general laws. (Article IX, sec. 1.)

Reports, etc., of transportation Companies: In addition to the annual reports required of transportation companies, the Secretary of Internal Affairs may require special reports. (Article XVII, sec. 11.)

STATUTE PROVISIONS.

ALL TRANSPORTATION AND TRANSMISSION COMPANIES.

State taxation: All corporations in the State are required to make annual reports to the State. They are taxed at the rate of one-half of one per cent. on the actual value of their capital stock. This, according to judicial interpretation, is a tax on property, franchise, assets, and earning capacity. Companies doing an inter-state business are taxed only on a mileage proportion of their capital stock. (Pamphlet Laws of 1891, p. 229, and of 1893, p. 353.)

These companies also pay a tax of two-fifths of one per cent. on the value of bonds issued by them and held by residents of the State. The tax is paid out of the interest on the bonds, so that when no interest is paid no tax is paid. (Pamphlet Laws of 1895, p. 193.)

These companies also pay a tax of four-fifths of one per cent. on gross receipts from business done wholly in the State. (P. L. 1889, p. 420.)

Local taxation: Transportation property not necessary for operating purposes is locally assessed and taxed.

RHODE ISLAND.

CONSTITUTIONAL PROVISIONS.

Taxation: The general assembly shall provide for the assessment of taxes as it may think best.

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Railroad companies are taxed on their property in the same manner as individuals. No express provision is made for railroad taxation in the law of the State.

SOUTH CAROLINA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: There shall be a uniform and equal rate of assessment and taxation. All property shall be taxed at its just value. (Art. IX, sec. 1.)

Corporations: The property of corporations shall be subject to taxation. (Art. XII, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Revised Statutes of South Carolina 1893, pp. 96-97.)

Listing, valuation, etc.: Railroad companies are required annually to list with the Comptroller-General of the State their entire property of operation, moneys, credits, etc. Annual reports are made also to the county auditors of property within the various counties. The Comptroller-General is empowered to examine corporation books, papers, etc. A valuation is set upon the property as listed by the State Board of Assessors, and the valuation thus determined is apportioned among the counties for the computation and collection of the tax.

Local taxation: Railroad real estate not in the right of way s locally assessed and taxed. There is also a local tax on the alues apportioned by the State.

SOUTH DAKOTA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property; Corporations: All taxes shall be niform on all property. Corporate property shall be assessed nd taxed as near as may be like individual property. (Art. XI, ec. 2.)

Railroad reports: Railroad companies shall make annual eports to the State, as by law prescribed. (Art. XVII, sec. 12.)

STATUTE PROVISIONS.

AILROAD COMPANIES:

Listing, valuation, etc.: Railroad companies make annual reorts to the State Board of Assessment and Equalization of their arnings and property of operation. On the basis of these returns valuation is reached, taking into consideration gross and net arnings, and is apportioned among the counties for the computation and collection of the tax.

Local taxation: All railroad property other than that of operaon is locally assessed and taxed. There is also a local tax on ie vaues apportioned by the State.

TENNESSEE.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: All property shall be taxed uniormly according to its value, as the Legislature shall direct. Art. II, sec. 28.)

RAILROAD COMPANIES: (Laws of 1897, chap. 5.)

Listing, valuation, etc.: Railroad companies file annual schedules of property, stock, indebtedness and earnings with the State Railroad Commission, by whom a valuation is set upon railroad property, with due regard for franchises, stock, bonds and earnings. The valuation thus determined is examined by the State Board of Equalization and certified to the State Comptroller. These taxes are paid into the State treasury.

In reaching a valuation the Railroad Commission has power to examine corporation books and papers. Railroad property having actual situs is known as localized property, and that, having no actual situs, is known as distributable property, and is valued on a pro-rata-mileage basis.

Railroad companies not paying the State ad valorem tax pay an annual tax, as follows: Companies controlling or operating 400 miles or more of road pay $10,000 for business done in the State; from 100 to 400 miles, $5,000; from 25 to 100 miles, $1,000; less than 25 miles, $100. (Laws of 1897, pp. 74-77).

Local taxation: Railroad real estate and personalty (having actual situs) are locally assessed and taxed.

Each county through which a railroad runs its lines may levy a tax of $500 against such company, and each incorporated town a tax of $25. (Laws of 1897, chap. 5.)

Railroad terminal companies, in counties of 90,000 inhabitants or over, pay a tax of $500; in counties of 70,000 to 90,000 inhabitants, $400, and in counties of 50,000 to 70,000, $300. (Laws of 1897, pp. 74-77.)

TEXAS.

CONSTITUTIONAL PROVISIONS.

Uniform taxation—property, license, income and occupation taxes: Taxation shall be equal and uniform. All property in the State shall be taxed. The Legislature may also impose license and income taxes. (Article VIII, sec. 1.)

All occupation taxes shall be uniform upon the same class of subjects within the same jurisdiction. (Article VIII, sec. 2.)

Railroads: All railroad property shall be assessed in the several counties. Rolling stock may be assessed in gross in the county where a company's principal office is located, the resulting tax to be apportioned by the comptroller among the counties on a pro rata mileage basis. (Article VIII, sec. 8.)

Municipal taxes: All railroad property shall bear it proportional share of municipal taxation. (Article VIII, sec. 5.)

STATUTE PROVISIONS.

RAILROAD COMPANIES:

Ad valorem tax: (Revised Statutes of Texas, 1895, pp. 1034, 1035.) Railroad companies pay ad valorem taxes on their franchises and on all property owned by them in the State, each county through which a road runs assessing and collecting the State and county taxes on the number of miles of line and superstructure within its limits. The total value of rolling stock owned and used in the State by each company is listed with the assessor of the county in which its principal office is located. The total rendition is forwarded to the State Comptroller, who apportions the value among the counties on a pro rata mileage basis. This valuation is then added to the valuation of the other property of the road and is the basis for State and local taxes.

Occupation tax: (Revised Statutes of Texas, 1895, p. 1019.) Railroad companies also pay to the State an occupation tax of one per cent. on gross receipts from passenger travel. The tax is paid quarterly to the comptroller on a sworn statement by authorized officers of the various companies. Steamboat and stage companies pay the same tax.

UTAH.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: There shall be a uniform and equal rate of assessment and taxation on all property in the

State. Every person and corporation shall be taxed in proportion to value of property. (Article XIII, sec. 3.)

All persons and corporations doing business in the State shall be subject to taxation for State and local purposes on all their property. (Article XIV, sec. 10.)

Rolling stock shall be considered and taxed as personalty. (Article XII, sec. 14.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1899, pp. 102-103.)

Listing, valuation, etc.: The officials of railroads operating in more than one county are required to make annual reports to the State, setting forth all their property and its value. On the basis of these reports the various companies are assessed by the State Board of Equalization on their property and franchises. Rolling stock is valued on a pro rata mileage basis. The total valuation is apportioned among the counties for the computation and collection of the tax.

Local taxation: Railroad lands not employed for operating purposes are locally assessed and taxed. There is also a local tax on the values apportioned by the State.

VERMONT

CONSTITUTIONAL PROVISIONS.

Nothing specific.

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Vermont Statutes, Title 10, secs. 557-564.)

Listing, valuation, etc.: Railroad companies are required to make full returns, not more frequently than bienially, to the Commissioner of State Taxes, who appraises the value of the railroad property, including the corporate franchise. In the case

of inter-state roads, the valuation is determined on a pro rata mileage basis. The rate of the tax is seven-tenths of one per cent.

Alternative gross earnings tax: Railroad companies may pay in lieu of the tax on property and franchise a tax of 2½ per cent. on gross earnings from business done in the State, including a pro rata mileage portion of interstate earnings.

POWERS OF COMMISSIONERS OF STATE TAXES: (Vermont Statutes, secs. 368-373, 593.)

This officer is empowered by law to summon witnesses, and to examine corporation books, papers, etc., to assist in reaching correct valuations for the purposes of taxation.

LOCAL TAXATION: (Vermont Statutes, secs. 590-592.)

The real and personal estate of all transportation companies not used for operating purposes is appraised by the listers of the towns like the property of individuals.

STEAMBOAT, CAR AND TRANSPORTATION COMPANIES: (Vermont St., secs. 572-574.)

All such companies incorporated under the laws of the State pay a tax of 7-10 of one per cent. on the appraised valuation of their property and corporate franchises, or in lieu thereof a tax of 2 per cent. on their entire gross earnings.

VIRGINIA

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: Taxes shall be uniform. All property shall be taxed according to its value. (Article X, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1897-1898, pp. 70-80; also Code of 1887, sec. 1312.)

Listing, valuation, etc.: Railroad companies are required to make annual returns to the auditor of public accounts, setting

forth their entire property and their gross receipts and net earnings from operation. The auditor is empowered to examine corporation books and papers. The board of public works appraises all railroad property. The taxes on this appraisement are paid into the State treasury.

Gross receipt taxes: Railroad companies also pay a tax on gross receipts to pay the expenses of the railroad commission.

Local taxation: Railroad real estate not in the right of way, including depots and other buildings, is locally assessed and taxed.

CANAL COMPANIES:

These companies are assessed and taxed on their property like railroads.

WASHINGTON

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: There shall be a uniform and equal rate of assessment and taxation of all property in the State. Article VII, sec. 2.

Corporations: Corporate property shall be taxed as nearly as may be by the same methods as are followed in taxing individual property. (Article VII, sec. 3.)

Rolling stock shall be considered and taxed as personal property. (Article XII, sec. 17.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Laws of 1897, pp. 149-153.)

Listing, valuation, etc.: Railroad companies are required to return to the State auditor schedules of their entire property of operation, capital stock, earnings, expenses, and indebtedness. The property is then assessed for State taxes by the State Board of Equalization.

Local taxation: Railroads are locally assessed and taxed on all their property, on the basis of annual lists which they are required to make in each county. Rolling stock is valued on a pro rata mileage basis.

EXPRESS, TRANSPORTATION AND STAGE COMPANIES: (Laws of 1897, p. 142.)

These companies are taxed on their personalty in the counties where it is kept.

WEST VIRGINIA.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: Taxation shall be equal and uniform on all property throughout the State. (Article X, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Code of West Virginia, Chap. XXIX, sec. 67.)

Listing, valuation, etc.: Railroad companies are required to make detailed annual reports to the State Auditor, setting forth property of operation, capital stock, bonded debt, earnings and expenditures. On the basis of these returns, after approval by the Board of Public Works, who have access to the corporation books and papers and may examine corporation witnesses, the State Auditor sets a valuation upon railroad property and apportions the same among the local tax districts, where the tax is computed at the usual rate and certified to the State Auditor. The total taxes are then paid into the State treasury.

Local taxation: Railroad real estate not employed for purposes of operation is locally assessed and taxed. Each local district also receives its share of the taxes paid into the State treasury.

WISCONSIN.

CONSTITUTIONAL PROVISIONS.

Uniform tax on property: Taxes shall be uniform, and upon such property as the Legislature shall prescribe. (Article VIII, sec. 1.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Revised Statutes of Wisconsin, secs. 1211-1213.)

State taxation: Railroad companies are required to make annual returns to the State Treasurer, showing their gross earnings for the year, and specifying the earnings per mile of line. "License fees" are then levied on gross earnings as follows:

Four per cent. on total gross earnings of $3,000 or more per mile.

Three and one-half per cent. on total gross earnings between $2,500 and $3,000 per mile.

Three per cent. on total gross earnings between $2,000 and $2,500 per mile.

Two and one-half per cent. on the excess above $1,500 per mile, plus $5.00 per mile when gross earnings are between $1.500 and $2,000 per mile; $5.00 per mile when gross earnings are less than $1,500 per mile.

Railroads built on pile and pontoon bridges pay at the special rate of 2 per cent. on their gross earnings.

Local taxation: There is no local tax on railroads, except that lands owned by railroad companies, but not used for railroad purposes, are assessed and taxed like similar property of individuals.

WYOMING.

CONSTITUTIONAL PROVISIONS.

Uniform taxation—listing, etc.: All taxation shall be equal and uniform. (Article I, sec. 28.)

All lands and improvements thereon shall be listed and assessed separately. (Article XV, sec. 1.)

Railroads: There shall be a State Board, consisting of the Auditor, Treasurer and Secretary of State, which shall assess at their actual value the franchises, roadway, roadbed, rails and rolling stock of all railroads and other common carriers. This valuation shall be apportioned among the counties as the basis of taxation. (Article XV, sec. 10.)

Reports of railroad companies: All railroads operating in the State must make annual reports of their business, as the Legislature may prescribe. (Article X, sec. 3.)

STATUTE PROVISIONS.

RAILROAD COMPANIES: (Revised Statutes of Wyoming, 1899, secs. 1794-1797.)

Listing, valuation, etc.: Railroad companies are required to make annual reports to the State Board of Equalization, setting forth all property of operation. On the basis of these reports a valuation is determined, covering property and franchises, and is apportioned among the local districts for the computation and collection of the tax.

Local taxation: Railroad real estate not employed for purposes of operation is locally assessed and taxed. There is also a local tax on the values apportioned by the State.

STATE BOARD OF ASSESSORS.

CAMDEN, N. J., December 19, 1904.

To the New Jersey Tax Commission:

GENTLEMEN—The invitations addressed respectively to the President and Secretary of this board to be present at a session of your commission to be held in the Senate Committee room

at the State House, Trenton, at 11 A. M. on Tuesday, December 20, 1904, there to offer any suggestions on the subject of taxation that may be deemed advisable were duly received.

Unfortunately a previous business engagement of considerable importance will prevent my attendance at the time named. I desire at this time, however, to offer a few suggestions for your consideration, touching any proposed changes in the Railroad Tax Law, which suggestions, I may add, are concurred in by my colleagues of the board.

1. That all property "used for railroad or canal purposes" should be valued and assessed by the State Board of Assessors.

2. That the taxes arising from the assessment of "main stems" of railroads or "waterways" of canals, together with the tax upon the valuation of franchises and tangible personal property, should be retained for the uses of the State.

3. That the term "main stem" should be more clearly defined than in the present law, and should be made to include *all* structures located within the "main stem" necessary for and appurtenant to the operation of such "main stem," such as track tanks, signal towers and signal appliances, safety gates, etc. Furthermore, that the *land* actually occupied by a "passenger depot" should be included in the valuation of the "main stem." Under the present law, the "passenger depot" itself is valued as part of the "main stem," but if located without the prescribed width of 100 feet, *the land beneath the structure* is included in the assessment of "property other than main stem" (second class property).

4. That all real estate and structures "used for railroad or canal purposes" outside of main stem (second class property) should be subjected to the same rate of taxation as may be applied to the property of individuals in the same taxing districts wherein is located such railroad property, and in order that the rate of tax may be properly determinable the law should provide:

(*a*) That on or before a given date the State Board of Assessors shall ascertain and report to the taxing authorities of each taxing district the amount of second class railroad property found to be in that district.

(*b*) That the taxing authorities of each taxing district shall add to the other ratables found to be located in such district the valuation of second class railroad property as reported by the State Board of Assessors, and upon the aggregate sum thereby obtained the local rate of tax for municipal, county and State school purposes shall be fixed.

(*c*) That the local rate of tax as thus fixed shall, on or before a given date, be reported to the State Board of Assessors, to be applied by said board and levied as the tax upon "second class railroad property" located in that specific taxing district.

(*d*) That the entire amount of tax upon this class of railroad property shall be collected by the State in the same way and manner as is now provided in the present law, and, after having been so collected, shall be paid over to the local authorities in manner and form as at present provided.

(*e*) That a penalty shall be provided for the failure of the taxing authorities of any taxing district to report to the State Board of Assessors within the time prescribed the local tax rate as fixed for the current year.

Aside from the question of railroad taxation I have no suggestions to offer, other than that in my judgment it would be good legislation to provide some more drastic means for compelling the local taxing authorities to comply with the mandates of the law and assess at *true value all real estate and personal property.*

Very respectfully,

DAVID BAIRD,

President State Board of Assessors.

SUPPLEMENTAL REPORT BY HENRY J WEST.

RECOMMENDATIONS.

First: That second class railroad property should be subject to local rates and that its valuation in each taxing district should be included with the value of all other property in that district in determining the rate.

Second: That the term "main stem" should be re-defined as recommended by the State Board of Assessors.

Third: That in other respects the act of 1884 as revised and amended should be preserved.

Fourth: That the powers of the State Board of Taxation be greatly increased and that the power of equalization be given to them or vested in a court of competent jurisdiction.

Fifth: That a limit be placed as to the total tax rate in any district, and that as a necessary accompaniment of such a limitation, a more modern system be created for the listing and assessment of all property.

To the Legislature of New Jersey:

The resolution of the Legislature under which this Commission was appointed, requires an investigation of the whole subject of assessment and taxation of the property of this State, real, personal and corporate. This resolution is very wide in its scope and under its terms a great mass of information has been laid before the Commission—much more we believe than has ever been presented to any Tax Commission of the State. While in the hearings before the Commission most of the discussion related to the taxation of railroad property, the greater portion of the data submitted treats of the general system of taxation throughout the State. This data confirms the general impression with reference to the results obtained under this system, and supports the findings as repeatedly stated in the annual reports of the State Board of Taxation. The evidence as to the inequalities existing in the assessment of real and personal property is of a surprising nature.

The taxation of personal property is a vexatious problem, and its solution requires more time than this Commission has had to devote to the subject. The requirement of a sworn return is an objectionable and not necessarily a complete method of reaching all this class of property.

The proper taxation of personal property would, undoubtedly, provide considerable relief to real property, upon which almost the entire burden of taxation is now placed.

It is not surprising that by far the greater portion of the testimony submitted to the Commission related to the taxation of railroad property, the interest in which overshadowed, apparently, the taxation of other forms of corporate property. The welfare of this State is so largely bound up with its corporate interests that the prosperity of those interests is reflected in all channels of activity of the people of the State and of the State itself. The taxation of that portion of the property held by railroad corporations has been, and, undoubtedly, is, of the greatest apparent interest to our citizens, but it is not actually of the most importance. The exhibit prepared for the St. Louis Exposition by the Chief of the Bureau of Labor Statistics for the State of New Jersey shows that this State has made greater advancement in its manufacturing interest in the last decade than any other state in the Union. In that period its manufacturing interests have increased about ninety per cent. According to the last census, the amount of capital invested in manufacturing was over $500,000,000, with annual products of about $600,000,000. The capital invested in banking also equals that represented by the railroad interests; so that it is evident the taxation of railroad property does not represent the largest source of income from corporate interests in this State. No sufficient means of taxation of intangible representation of wealth has ever been perfected, so that to-day the farmer and other owners of visible property continues to pay the greater portion of the taxes. Gradually the railroads have become owners of large and valuable tracts of land. In their earlier days, a narrow strip was sufficient for the transaction of their business. So that aside from their general development of business their ownership of land was of little or no importance in connection

with taxation in the communities in which they were located. As the development of business required their ownership of considerable parcels of land at their stations and of large tracts at their terminals, the subject has necessarily become now of greater interest and importance. It has always been the policy of the State of New Jersey to further the development of its transportation interests and to tax those interests for the benefit of the entire State. The provisions of the tax act of 1884 are but a continuance of that policy; and its limitations upon the tax rates are the same which had always prevailed. In Jersey City, where the railroads own a large amount of property by reason of its location on the western shore of the great harbor of this country, the subject of railroad taxation is naturally of greatest interest. Until the amendment of 1897, under which the State relinquished its one-half of one per cent. on second class property to the local taxing districts, Jersey City had never received more than one per cent. on any property used for railroad purposes. It is now receiving all of the tax at the one and one-half per cent. rate, but claims that so large a portion of its area is withdrawn from local jurisdiction that it is hampered in its financial operations. As the State no longer retains any revenue from second class property which principally represents these large holdings, it is felt that it can, without injury to itself, and should authorize, for the benefit of the localities, the taxation of this class of property at full local rates, providing such regulations as will prevent this new arrangement from interfering with the operations of the other provisions of the tax act of 1884 as amended. Such security can, undoubtedly, best be obtained by continuing the valuation of property by the State Board of Assessors, who would certify their valuations of the second class property to the various taxing districts in time for their assessments to be added to the valuations found by the local assessors, so that the local tax rate may be obtained by dividing the amount of tax to be raised by the total valuation found by this method. The taxpayer would thus receive the benefit of the reduced rate. The rate so found should be promptly certified to the State Board of Assessors, who should apply it upon their valuation, and the tax so determined should

be collected and turned into the State treasury with other railroad taxes. It is felt that this arrangement for the collection of this tax is to the inetrest of the local taxing districts.

The foregoing recommendation is made with the belief that it is the proper remedy for the conditions which have arisen since the passage of the present railroad tax act, and it embodies the fundamental solution of the complaints against the justice of that act. Justice, however, would not be created without the enactment of other provisions which naturally and necessarily follow the attempt to co-ordinate two different systems of taxation.

While the valuations of both the State Board of Assessors and the local assessors have been severely criticised in the hearings before the commission, it is felt that the valuations of the State Board are much nearer true value. Certainly the much better system provided for under the railroad tax act should produce such results. Furthermore, it is admitted that a limited tax rate causes much higher valuations. By the application, therefore, of local rates to the valuation made by the State Board, an inequality would result in comparison with property assessed at a percentage of true value by local assessors. In the tables submitted to the commission it is set forth that the average assessment to true value of all real property in the State is but fifty-six per cent. The percentages varying in the several counties as follows:

Atlantic,	57	per cent.
Bergen,	49	" "
Burlington,	62	" "
Camden,	57	" "
Cape May,	48	" "
Cumberland,	64	" "
Essex,	54	" "
Gloucester,	65	" "
Hudson,	61	" "
Hunterdon,	80	" "
Mercer,	56	" "
Middlesex,	58	" "
Monmouth,	51	" "
Morris,	52	" "

Ocean,	50	per	cent.
Passaic,	51	"	"
Salem,	80	"	"
Somerset,	60	"	"
Sussex,	64	"	"
Union,	50	"	"
Warren,	69	"	"

Some power of equalization is, therefore, not only needed as between the valuations of the State Board and those of the local assessors, but also for the purpose of an equitable distribution of county and state school taxes. Such a power should be vested in a State board or court.

The determination of equality has always been a difficult matter and never possible of precise determination in so complicated a subject as taxation. It has been vigorously contended before the Commission and elsewhere that the railroad companies do not, under the limited tax rates to which they are subjected, pay their fair share of taxes. The counsel for Jersey City has most earnestly asserted his belief and produced much evidence in support thereof, that the railroad property does not pay its just share of taxation. He, however, admits that under the different systems of taxation it is difficult, if not impossible, to reach any accurate method of determination. The counsel for the railroad companies have as vigorously asserted that they do pay their fair share of taxation and likewise produced much evidence in support of their contention. We are of the opinion, for the reasons stated by the Attorney-General in his address to the Commission, that no general changes should be made which would upset the tax act of 1884. Like our predecessors who have investigated its operations, we do not find any substantial inequality resulting as a whole, from its operations. Its provisions are much more stringent with reference to listing and assessing, than the provisions of the general act as codified in 1903.

There is much of interest in and value attached to the result of the work undertaken by the railroad companies, in comparing the assessments with the considerations for all property sold within the period of five years from July 1st, 1898, to June 30th, 1903.

These results, as shown in tables D, are concrete evidence of the reform necessary in our general system of taxation.

High tax rates are the direct result of low valuations and concealment of property from the assessor. A reasonable tax rate is produced by honesty and equality. Under such conditions the burden of taxation is not heavy upon anyone. A limited tax rate would undoubtedly cause listing of visible property at true value, and much more successful results in the taxation of intangible property.

While the testimony before the Tax Commission has been chiefly confined to the taxation of railroads, the resolution which called this Commission into existence provided that it should "investigate the whole subject of taxation." There are certain pernicious inconsistencies which have crept into the body of our tax laws relative to the general assessment for local purposes, and to these I deem it my duty to call the attention of the Legislature.

Our State Constitution provides that property shall be assessed for taxation under general laws and by uniform rules, according to its true value. The theory from which this provision was formulated was that the burden of taxation should be equal and uniform upon all. The Encyclopedia Britannica says that "Equality of taxation means that taxes ought to be levied so as to involve equality of sacrifice on the part of the contributors." In active operation, "equality of taxation" has been relegated to the background by numerous laws granting practical exemption to the principal forms of personal wealth, such as shares of corporations, municipal bonds and mortgages, and entire exemption to such quasi-business properties as cemeteries, academies, seminaries and colleges.

There is a vast wealth scattered through this State in the hands of private owners, in shape of shares of stock of corporations, municipal bonds, etc. The holders of this wealth receive all the benefits of government, and give as little as possible. They are within the law, because the law has made all these valuable assets non-taxable. If all the property in New Jersey were assessed "according to its true value," the average tax rate would be reduced by half. As it stands, it is real estate which bears nearly the

whole burden of government. The personalty is there, but escapes, first because of the laws above referred to, rendering it non-taxable in its largest forms, and secondly because of the failure of assessors to adequately list the remainder.

The laws which do provide for the taxation of personal property are notably discriminating. Under an act of Congress the States are permitted to tax the shares of stock of national banks, *provided,* they are not taxed at a greater rate than is assessed upon other moneyed capital. The exempt bonds and securities of national banks are not allowed to be deducted in estimating the value of the shares, whereas in the case of trust companies the same securities are exempt from taxation, when invested as part of their capital stock. Here is an immediate discrimination between the shares of national banks and those of trust companies.

The total value of real estate in New Jersey subject to taxation, exclusive of railroad property, as returned by the county boards of assessors for the year 1904, is $912,182,584, and the total value of personalty listed for taxation is $142,487,205. It may thus be observed that real estate bears 86.48 per centum of the total burden of taxation, while personal property bears only 13.52 per centum. It is a general rule that in progressive communities the personal wealth exceeds or at least equals the wealth invested in real estate. In the evidence submitted before this commission it was claimed that over $885,000,000 of taxable personal property largely escaped taxation in this State, consisting of household and office furniture, goods in stock and storage, manufactured goods, machinery, implements, tools, live stock, vehicles, vessel property, deposits in bank and credits. When these figures, which are from the census office and other sources, are compared with the returns of the local assessors, it is quite evident that the taxing officials do not make the "diligent effort" required of them by the statutes.

The effort to secure uniform taxation will be materially assisted by reform in the expenditures of municipal governments. Any lasting betterment of the principles and methods of taxation must be accomplished with the assistance of the municipalities, with which lies the power of intelligent effort to secure uniform and

ıst taxation by limiting the tax rate and by the wisest use of the ɔwer of expenditure.

While much has been said with reference to the taxation of ıilroad property, the situation disclosed as to the inequalities exting in the assignment of real property as between taxing disicts in the same county, and between counties, is of a striking ıture. If all taxes were expended in the district in which they 'e raised, the demand for local improvement would quickly reılt in assessments much nearer true value. Under our county ırm of government there is a reluctance to raise assessments and ereby increase the proportion of county expenses. Adequate ɔwer to remedy this condition is not possessed by the State ɔard of Taxation, which is now charged with the supervision of sessments, and until such power is created by legislation and forced, equality will not exist as between all districts.

I maintain that any law which exempts such investments as ares of stock of corporations, municipal bonds and mortgages, d taxes the small deposits in savings banks, is unjust and unual, and not in harmony with the constitutional provisions on is subject. To the end that these evils may be reformed, I am favor of the passage of a law limiting exemptions and provid- g for the thorough listing of all personal property. This, in nnection with an act limiting the county and municipal tax rates d the power of the municipalities to issue bonds, would equal- : the burden of taxation among the different classes of property, well as the proportion of expenditure among the taxing dis- cts, and in this way bring about a substantial reform in our ɜtem of taxation.

I do not think that public sentiment is in favor of any radical ınges in the present tax laws, and believe that with the changes ıde as suggested above, and the passage of supplementary acts ɔviding for the publication of assessment lists, so that taxpay- may make comparisons of their property with contiguous ɔperties, and with more power given to the State Board of Tax- ɔn, substantial equity will result. Absolute equality in taxation ɔut a dream of theorists.

HENRY J. WEST.

REPORT OF CHANDLER W. RIKER.

To His Excellency the Governor and to the Honorable the Senat and General Assembly of the State of New Jersey:

GENTLEMEN—In compliance with the duty imposed upon u as Commissioners appointed to investigate the subject of taxa tion in this State, under the concurrent resolution of the Senat and General Assembly, passed March twenty-fourth, one thou sand nine hundred and four, we have the honor to transmit th following report.

CHANDLER W. RIKER,
Chairman of the Commsision.

CONCURRENT RESOLUTION.

Resolved (the Senate concurring), That the Governor of th State be and he is hereby empowered to appoint a commissio to consist of five persons, to investigate the whole subject of tl assessment and taxation of the property in this State, real, pe sonal and corporate, and report at the next session of the Legi lature the result of such investigation, with such recommend tions as such commissioners shall deem proper; such commissio when appointed, shall have full power to use any process of t courts of this State to compel the attendance of witnesses and t production of books, papers and documents.

There are at the present time two systems by which real est and personal property are taxed in this State. One system appl to the property of railroads and canals. The other system appl to the taxation of the individual.

Both systems require that all taxable property, real and p sonal, shall be valued for taxation at its true value, and that taxable property, real and personal, shall be fully listed taxation.

One system provides for a tax rate which is fixed by the and does not vary; the other provides for a tax rate which var

vith the needs of the taxing district in which the property is ocated.

The end to be reached is equal taxation, and equal taxation equires for its accomplishment:

An equal tax rate;

An equal standard of value;

An equal certainty in the listing of property.

The first duty of this commission, as we have conceived it, s to determine whether, as the laws of the State now stand, equal taxation is or can be secured, and, if not, what should be he remedy.

To the solution of these questions we have given our best thought, and present the following for your consideration:

I.

THE PRESENT LAW GOVERNING THE TAXATION OF RAILROAD AND CANAL PROPERTY.

1. How railroad and canal property is required to be listed and valued.

The State Board of Assessors is by law required to annually ascertain the true value of all property used for railroad and canal purposes in this State, including the value of the franchises.

By the terms of the statute the assessors are required to ascertain:

First: The length and value of the main stem of each railroad and the waterway of each canal and the length of such main stem and waterway through each taxing district.

By main stem is meant the roadway not exceeding one hundred feet in width, with rails and sleepers and depot buildings used for passengers connected therewith.

Second: The value of the other real estate used for railroad and canal purposes in each taxing district, including the roadbed (other than main stem), waterways, reservoirs, tracks, buildings, water tanks, water works, riparian rights, docks, wharves

and piers, and all other real estate except lands not used for railroad and canal purposes.

Third: The value of all tangible personal property of each railroad and each canal company.

By tangible personal property is meant the rolling stock, cars, locomotives, ferry boats, all machinery, tools and other tangible personal property of any railroad company and the floating, movable and other tangible personal property of any canal company, and also the locomotives and cars built for and actually used by a railroad company in this State, or run under its control in this State by a sleeping car company or other company.

Fourth: The value of the remaining property, including the franchises.

Under the first three heads are listed and valued real estate and all tangible personal property which enter into the construction of or form a part of the physical plant of a railroad or canal.

Under the fourth head is listed and valued all other property and the franchises.

The railroad or canal as a whole is thus listed and valued.

2. How railroad and canal property is required to be taxed.

Part of the railroad and canal property thus listed and valued is taxed for local purposes, but the greater part of it is taxed for State purposes only.

That part of the real estate, with the structure thereon, *outside of the main stem,* including the lands, tracks, docks, wharves and piers, is taxed for the benefit of the locality in which the property is situated at the rate of $15 per $1,000 of value.

The roadway or main stem, not exceeding one hundred feet in width, with passenger stations, is taxed for the benefit of the State and at the rate of $5 per $1,000 of value.

The tangible personal property, including the locomotives, engines, passenger cars and freight cars, is taxed for the benefit of the State at the rate of $5 per $1,000 of value.

The remaining property and franchises are taxed for the benefit of the state at the rate of $5 per $1,000 of value.

II.

HOW THE STATE BOARD OF ASSESSORS IN 1884 PERFORMED THE DUTIES IMPOSED UPON IT BY THE ACT.

The method by which the State Board of Assessors arrived at the valuation of railroad and canal property in 1884, when the present system of taxing railroad and canal property went into effect, was substantially as follows:

1. The land within the main stem or roadway (not exceeding one hundred feet in width) was divided into plots, and each of these plots was separately valued, the basis of value being the market value of lands in the immediate vicinity. The combined value of the plots within the main stem was multiplied by two or three, giving as the value of the main stem a value two or three times as great as the combined value of the plots of land making up the main stem. To this was added the cost of graduation, cost of cuts and fills, the cost of rails, ties, laying track, ballast, the value of retaining walls, bridges and passenger stations—deduction being made for depreciation.

2. The real estate outside of the main stem used for railroad purposes—second class railroad property—was valued as follows:

The land was taken, each plot at its market value, based on the market value of the land in the immediate vicinity; to this was added the cost of rails, ties and the laying of tracks, the reproduction value of buildings, wharves, piers, and other structures, deduction being made for depreciation.

3. The tangible personal property, including the rolling stock, cars, locomotives, ferry-boats, machinery and tools were taken at reproduction value, less depreciation.

4. The value of the franchise was ascertained by placing a value upon each railroad and canal company as a whole; this value was roughly ascertained by taking the value of its bonds and certificates of indebtedness and adding to this value the market value of the stock; from this value was deducted the total

of the assumed value of the real estate and tangible personal property. The result so ascertained represented the difference in value between the railroad or canal company as a whole and the combined value of the real estate and tangible personal property of the railroad or canal company.

The State Board of Assessors assumed that sixty per cent. of this difference represented the value of the franchises, and the franchise was thus assessed.

In valuing the tangible personal property the assessors are believed not to have included the rolling stock used exclusively or principally in interstate commerce.

III.

HOW THE STATE BOARD OF ASSESSORS IN 1903 PERFORMED THE DUTIES IMPOSED UPON IT BY THE ACT.

While we are unable to speak with the desired certainty on this subject, we conclude that the State Board of Asessors in 1903 performed the duties of listing and valuing property of railroad and canal companies substantially as these duties were performed by the State Board of Assessors in 1884.

IV.

THE VALUES PLACED UPON THE PROPERTY OF RAILROAD AND CANAL COMPANIES BY THE STATE BOARD OF ASSESSORS IN 1884 AND THE TAXES ASSESSED THEREON.

The State Board of Assessors for the year 1884 valued rail road and canal property in this State as follows:

Main stem,	$81,865,150 5
Real estate outside main stem,	36,767,228 5
Tangible personal property,	21,604,226 3
Franchises,	50,201,388 5
Total,	$190,437,993 9

How it was taxed:

Main stem, $81,865,150, at $5 per $1,000 of value,	$409,325 56
Real estate outside main stem, $36,767,228, at $15 per $1,000,	505,317 40
Tangible personal property, $21,604,226, at $5 per $1,000 of value,	108,021 08
Franchises, $50,201,388, at $5 per $1,000 of value,	251,006 94
Total,	$1,273,670 98

V.

THE VALUE PLACED UPON THE PROPERTY OF RAILROAD AND CANAL COMPANIES BY THE STATE BOARD OF ASSESSORS IN 1903 AND THE TAXES ASSESSED THEREON.

We have been unable to learn the exact figures placed by the State Board of Assessors upon the real estate within the main stem and the exact figures placed by them upon the value of the franchises, as they have in their report combined these two classes of property.

Taking, however, the figures as they appear in their report of 1884, and as they were revised in 1897 by the Governor of this State, with the assistance of the engineers of the State Board of Assessors, and with a slight revision necessary to bring them down to date, we conclude that the State Board of Assessors for the year 1903 valued the railroad and canal properties in this state substantially as follows:

Main stem,	$99,582,365 00
Real estate outside main stem,	42,836,097 00
Tangible personal property,	25,201,118 00
Franchises,	59,575,535 00
Total,	$227,195,115 00

How it was taxed:

Main stem, $99,582,365, at $5 per $1,000 of value,	$497,911 82
Real estate outside main stem, $42,836,097, at $15 per $1,000 of value,	642,541 45

Tangible personal property, $25,201,118, at $5 per $1,000 of value,	$126,005 59
Franchises, $59,575,535, at $5 per $1,000 of value,	297,877 67
Total,	$1,564,336 53

On the $227,195,115 of real estate, personal property and franchises of railroad and canal companies listed and valued by the State Board of Assessors, there was assessed taxes to the amount of $1,564,336.53.

The average tax rate being $6.80 per $1,000 of value.

VI.

THE VALUE PLACED UPON THE REAL ESTATE AND PERSONAL PROPERTY OF THE INDIVIDUAL BY THE LOCAL ASSESSORS IN 1903 AND THE TAXES ASSESSED THEREON.

	COUNTY.	Valuation of real estate	Valuation of personal estate	DEDUCTIONS		Net valuation taxable
				Deductions for debt (other than mortgage indebtedness)	Exemptions allowed firemen, veterans and militia	
1	Atlantic,	$49,758,082	$4,107,844		$259,795	$53,606,131
2	Bergen,	41,324,253	3,646,637	$27,300	757,650	44,185,940
3	Burlington,	19,664,686	4,616,693	2,025,656		22,255,723
4	Camden,	42,947,582	4,395,473		670,288	46,672,767
5	Cape May,	8,102,784	872,951	1,600	158,369	8,818,000
6	Cumberland,	14,618,958	4,729,427	1,374,571	400,225	17,574,000
7	Essex,	195,572,566	43,534,930	830,496	1,104,525	237,172,475
8	Gloucester,	12,919,589	3,555,031	1,146,546	253,150	15,074,924
9	Hudson,	167,470,729	18,569,171		994,750	186,039,900
10	Hunterdon,	14,721,548	7,259,610	3,910,303	342,980	17,727,875
11	Mercer,	40,478,838	11,684,096	1,418,624	445,571	49,228,664
12	Middlesex,	28,932,912	4,940,664	342,414	622,370	32,908,792
13	Monmouth,	51,022,023	6,617,431	2,046,995	1,074,678	51,020,169
14	Morris,	25,280,824	4,391,559	45,935	418,725	29,207,723
15	Ocean,	8,272,522	1,593,071	131,882	182,065	9,551,646
16	Passaic,	61,890,536	12,392,846		485,359	73,798,023
17	Salem,	11,298,554	3,140,717	272,051	187,700	13,979,520
18	Somerset,	17,228,401	2,870,530	411,285	725,579	18,962,067
19	Sussex,	9,244,384	3,028,030	788,590	150,100	14,859,294
20	Union,	41,220,745	6,755,830	83,850	782,525	47,106,200
21	Warren,	15,181,511	5,015,445	1,469,267	265,380	18,462,309
	Totals,	$877,152,027	$157,713,986	$16,327,365	$10,281,784	$1,008,212,142

On the $1,008,212,142 of real estate and personal property listed and valued by the local assessors, there was assessed at local rates taxes to the amount of $22,400,000.

The average local tax rate being about $22 per $1,000 of value.

VII.

THE REPRESENTATIVES OF THE RAILROAD AND CANAL COMPANIES STAND FOR EQUAL TAXATION.

In the arguments before this commission, representatives of the railroad and canal companies have solemnly declared that they stand for equal taxation—

An equal tax rate;

An equal standard of value;

An equal certainty in the listing of taxable property.

In order that there may be no mistake in regard to the position taken, we quote from Mr. de Forest's argument:

"I do not think we can separate the interests of our railroads from the interests of every part of the community; we must all prosper or fail to prosper alike. It may easily be, that by some particular change of the law, or some particular change in the method by which the law is applied, an undue burden of taxation may for a time be put upon one class of the community, but it won't stay put there. There is sooner or later bound to be a day of reckoning and change, and in the end it is quite as much to the interest of the railroads as it is to the smaller property owners in this State, that taxation shall be equal.

"I mean real equal taxation—that is what I stand for before you gentlemen. The term has been used in all sorts of ways. It seems extraordinary that a person should have to stand up to-day and define what real equal taxation is, but it does seem almost necessary in view of the way in which the term has been used.

"By equal taxation—the equal taxation which it seems to me should be applied to all property in the State and railroad prop-

erty, too—I mean an equal tax rate applied by the same standard of value, applied by the same methods; that is, methods which will produce exactness and certainty when applied to all property subject to taxation."

I quote from the record Mr. William H. Corbin's argument:

"The railroad companies do not come here in an attitude of hostility at all, nor in a spirit of controversy at all, but they realize, as keenly as any one else can, the importance of the matter and the importance of having it settled right, and stay settled, and not be a subject of continual controversy.

"They desire to pay their fair, just share of taxation upon property. They believe they are paying it to-day; they desire to do so, and if there is anything they can do in the way of assistance by way of presentation of facts, they desire to make them known.

"We contend that if there was a law which would search out and measure and thoroughly list the full value of all the property in this State, as the law contemplates and as the Constitution contemplates, as fairly as the property of the railroad company is searched out and listed, and all should be turned into one pot, and you enforce that and keep it enforced, the railroads would have nothing at all to complain of as to an equal rate of taxation. I believe they are paying all that they should then pay if that were done.

"The difficulty has always been that the State has never come to the point, or the people either, where they dared to put the knife into the subject of taxation to that extent.

"It is just to make the railroad corporations bear equal tax burdens with individuals, and it is also just that individuals should be prevented from disregarding the law and evading the Constitution through the illegal action of local boards of assessors. Equal burdens and equal rights for all, corporations as well as individuals, are the principles that should control our taxation legislation.

"That was Governor Abbett's message to the Legislature in 1887.

"*Question*—Can you subscribe to that, Mr. Corbin?

"*Answer* (by Mr. Corbin)—Fully, sir, fully. I believe in what President Roosevelt calls a square deal for individuals and corporations, rich and poor, and unless we can convince the people that substantially that is accomplished, and unless it is substantially accomplished, the ultimate consequences are so far reaching and so dire, that I will never stand up in any place and defend anything else.

"In our kind of a government you cannot live and stay and prosper with the underlying feeling in the minds of the majority of the people that substantial justice is not being done. It is absolutely intolerable that an underlying spirit should exist that you are not arriving and do not intend to arrive at substantial justice in the end."

* * * * * * * * * * * *

"Mr. Black—Is not the whole tendency of the hundreds of reports made to State Legislatures and the hundreds of books that have been written and the thousands of magazine articles that have been printed, that as far as the law is concerned they must all be put on the same basis?

"Mr. Corbin—Yes.

"Mr. Black—And the moment you depart from that you have departed from the underlying structures of our government?

"Mr. Corbin—Certainly.

"Mr. Black—And have not all other theories been exploded?

"Mr. Corbin—Anything else, Mr. Black, is intolerable; you must at least recognize the principles of equality, and as wisely as you can devise laws to carry them out."

The position of the railroad and canal companies may be thus stated:

1. It is just that railroad and canal companies bear equal tax burdens with individuals.

2. In order to secure equality in tax burden or equal taxation there must be—

An equal tax rate;

An equal standard of value;

An equal certainty in the listing of taxable property.

VIII.

THE CONSTITUTION AND THE LAWS OF THIS STATE REQUIRE, 1ST, AN EQUAL STANDARD OF VALUE; AND 2D, AN EQUAL CERTAINTY IN THE LISTING OF TAXABLE PROPERTY.

1. As to the standard of value.

The Constitution provides that "property shall be assessed for taxation under general laws by uniform rules, according to its true value."

The standard of value, therefore, in this State, as fixed by the Constitution, is "true value."

Under the provisions of the act for the taxation of railroads and canals, the State Board of Assessors is required to ascertain the *true value* of all property used for railroad and canal purposes.

Under the provisions of the general tax act, all property, real and personal, within the jurisdiction of this State, not expressly exempted or excluded from the operation of the act, is made subject to annual taxation at its true value and is required to be entered on the list of taxable property.

The local assessors are required to determine the full fair value of each parcel of real estate, at such price as such parcel would sell for at a fair and bona fide sale by private contract. And they are required in like manner to determine the true value of all personal property in their respective districts.

The standard of value, therefore, fixed both by the Constitution and the laws governing the State Board of Assessors and the local assessors, is true value.

2. As to the listing of taxable property.

The act for the taxation of railroad and canal property provides that on or before the first Tuesday in May of each year, the railroad and canal companies shall return to the State Board of Assessors, statements under oath of the property of such railroad or canal, as it existed on the first day of January preceeding, which, for each railroad, shall be as follows:

I. Of the real estate, specifying its extent and dimensions, which may be shown by a map or maps, setting out in detail the total length of the road, including branched and leased lines, the entire length in this State, and the length of double or side tracks; and the number, character and value of all buildings and structures in each county and in each taxing district through or in which it is located in this State, designating the main stem or road-bed and the width, wherever it exceeds one hundred feet, and designating particularly any portion in such taxing district which is not used for railroad purposes, and which is locally assessed and taxed, and the value thereof.

II. Of the rolling stock and tangible personal property, giving the number of freight engines, passenger engines, passenger and freight cars, ferry-boats and other movable property of every description, owned, used or hired, and the value thereof:

III. A statement or schedule showing:

a. The amount of capital stock authorized and the number of shares into which such capital stock is divided.

b. The amount of capital stock paid up.

c. The market value, and if no market value, then the actual value of the shares of stock.

d. The total amount and the particulars and details of all indebtedness.

A like detailed statement is required from each canal company.

The general tax act requires the local assessor to list each separate parcel of land in his taxing district, entering the description and area of each parcel sufficiently to ascertain its location and extent. The power is given to the State Board of Taxation by rule to direct the assessors in any taxing district to determine the true value of each parcel of real estate assessed by him, without the buildings and improvements, and to note the same on his list, and to determine and note separately the true value of every building and other structure on each parcel.

The State Board of Taxation is given further power to direct the assessor in any taxing district to enter on his list separately the number of acres of arable land, meadow and pasture land and all uncultivated and swamp land in each parcel, as near as may be.

And every inhabitant is required, on the application of the assessor, to render a true and full account of his ratable real property and to produce his title papers.

And in like manner the local assessor is required to ascertain the true value of all the personal property in his taxing district, and every inhabitant of the taxing district is required, on the application of the assessor, forthwith to render a true account of his ratable personal property, money, effects and credit.

And the local assessor is given power to examine under oath any person or officer of a corporation, touching the taxable property of himself or others.

The assessor is required to take oath to the correctness of his duplicate, and in the oath to state that he has valued all the property liable to taxation in his taxing district, without favor or partiality, at its true and fair value, at such price as in his judgment it would sell at a fair sale by private contract on the twentieth of May.

The listing, therefore, whether made by the State Board of Assessors or by the local assessor, is by law required to be full and complete, and the railroad and the individual is required to furnish the assessor a similar list of taxable real estate and taxable personal property.

The law therefore provides for one standard of value, applicable to the property of railroads and canals and to the property of the individual; namely, its true value.

It likewise provides for like certainty in the listing of property. All taxable property of railroads and canals, and all taxable property of the individual, is required to be listed.

IX.

AN UNEQUAL TAX RATE.

The real estate of railroads and canals outside of roadway or main stem, used for railroad and canal purposes, is taxed at the rate of $15 per $1,000 of value. All other property of railroads

and canal companies, used for railroad or canal purposes—real and personal—is taxed at the rate of $5.00 per $1,000 of value.

The real estate and personal property of the individual is taxed at local rates. The average local rate is about $22 per $1,000 of value. With

An equal standard of value,

An equal certainty in the listing of property, and

An *unequal* tax rate,

we cannot have equal taxation.

X.

HOW AN UNEQUAL TAX RATE WORKS OUT IN PRACTICE.

The individual owning real property valued by the local assessors at $142,418,462, and personal property valued at $25,201,118 would pay taxes as follows:

Real estate, $142,418,462, at $22 per $1,000 of value, ...	$3,133,206 16
Personal property, $25,201,118, at $22 per $1,000 of value, ...	554,424 60
Total taxes, ...	$3,687,630 76

The railroad and canal companies owning real estate valued by the State Board of Assessors at $142,418,462, and personal property valued at $25,201,118, are taxed as follows:

Real estate in main stem, $99,582,365, at $5 per $1,000 of value,	$497,911 82
Real estate outside main stem, $42,836,097, at $15 per $1,000 of value, ...	642,541 45
Personal property, $25,201,118, at $5 per $1,000 of value,.....	126,005 59
Total tax, ...	$1,266,458 86

The railroad and canal companies pay in addition to the tax on real and personal property a franchise tax as follows:

Franchise, $59,575,535, at $5 per $1,000 of value, ...	$297,877 67

XI.

THE CONTROVERSY BETWEEN THE REPRESENTATIVES OF THE RAILROAD AND CANAL COMPANIES AND THE REPRESENTATIVES OF THE MUNICIPALITIES.

The representatives of the railroads insist that the real estate and tangible personal property of railroads and canals are assessed by the State Board of Assessors at true value, and that the real estate and personal property of the individual are assessed by local assessors at about 60 per cent. of true value.

That the real estate and tangible personal property of railroads and canals are fully listed for taxation and that some of the real estate and much of the personal property of the individual is not listed for taxation.

That the State Board of Assessors obeys the Constitution and the laws, and values the real estate and tangible personal property of railroads and canals at true value, and thereby adopts as its standard of value true value.

That the local assessors, disregarding the Constitution and the laws, value the real estate and personal property of the individual at 60 per cent. of true value, thereby adopting as their standard of value 60 per cent. of true value.

That the State Board of Assessors obeying the law, list for taxation all real estate and tangible personal property of railroads and canals; and that the local assessors disregarding the law leave unassessed some of the real estate and much of the personal property of the individual.

The representatives of the municipalities, however, as vigorously insist that the property, both real and personal of the railroads and canals, is assessed below true value and that their real estate at least is not fully listed; and they deny that the property of the individual, within their respective municipalities, is assessed at a lower standard of value than the property of the railroads.

They say they cannot ascertain whether the personal property of the railroads is valued at its true value or whether it is fully

listed; and they insist that the assessors of their respective municipalities are making every effort to properly list and value the personal porperty of the individual.

XII.

IS TAXATION UNEQUAL, AND IF SO, IS THERE A REMEDY?

This commission, appointed by the Legislature to investigate the subject of taxation, must answer two questions—

1. Is taxation in this State unequal?
2. If so, how can it be made equal? What is the remedy?

To the first question we answer: Taxation in this State is unequal.

To the second question we answer it can be made equal by providing and enforcing:

1. An equal standard of value.
2. An equal tax rate.
3. An equal certainty in the listing of taxable property.

Can these be secured

A. In the taxing of real estate?

B. In the taxing of personal property?

C. In the taxing of franchises?

A.

CAN EQUALITY BE SECURED IN THE TAXATION OF REAL ESTATE.

In this State, and in all States, the principal source of tax revenue is, and must always be, real estate.

The real estate of the railroad and canal companies can be made to bear a burden of taxation equal to that borne by the real estate of the individual. To this class of property we can apply—

An equal tax rate;
An equal standard of value;
An equal certainty in listing.

There is little substance in the claim that the real estate, either of the individual or railroad and canal companies, is not now fully listed. In the cities and towns the land is listed to the last square foot, and we think that no substantial amount of real estate escapes listing by the local assessors.

It has not been suggested that any land of the railroad or canal companies escapes listing except land under water beyond the bulkhead line, and it is claimed by the railroad companies that the value of this land is in fact added to the value of the land inside the bulkhead line, and is therefore valued and taxed, if not listed.

Under the rules adopted by the State Board of Taxation, passed pursuant to the provisions of the tax act of 1903, the local assessors in all the cities and most of the towns of this State are now required to list and determine the true value of all parcels of real estate without the buildings and improvements, and to list separately and determine the true value of every building and other structure on each parcel.

The same particularity is required of the State Board of Assessors in the listing of the real estate of railroad and canal companies. The listing of real estate by the local assessors and by the State Board of Assessors in this State is not subject to serious criticism.

2. Is the real estate of the individual and the real estate of the railroad and canal companies valued at true value or at an equal standard of value?

The representatives of the railroads present to us abstracts of the sales of real estate in this State for five years last past, with tables showing the purchase price of each parcel, and the value placed upon each of these parcels by the local assessors for taxing purposes, and it appearing from these tables that the local assessors have valued the real estate at sixty per cent. of their selling price, they argue that the local assessors have assessed

and are assessing all the real estate in their taxing districts at sixty per cent. of true value.

This, however, is not the view taken by all the counsel representing the railroads. Mr. de Forest has thus expressed himself:

"People have talked about true value as if it were equivalent to selling price. It is not, gentlemen. If you or I were called upon to perform the duties of a local assessor in any county in this State, and perform them according to our oath, I venture to say that there is not a single one of us who would value property—all the property in his district—at the standard set by an occasional sale. * * *

"I think that the horse sense of a first-class local assessor in getting at his results which usually are—I won't say usually are, which ought to be, we will say—about eighty per cent. or seventy-five or eighty-five per cent. or thereabouts, of selling price, approaches as nearly to the standard of constitutional true value in regard to the real estate which does not pass from hand to hand every day as we could possibly get."

We agree with Mr. de Forest's position. The standard of value for the property within the taxing district cannot safely be determined by a standard set by an occasional sale.

It is safe, we think, to say that the standard of the average local assessor is higher than sixty per cent. of true value. That it does not reach true value, we think, is also true; as to whether it approximates true value is and must remain a question of individual judgment.

The representatives of the municipalities present abstracts of the sales of real estate in Jersey City and Hoboken, with tables showing the purchase price of each parcel sold to the individual, and the value placed thereon by the local assessors, and showing also the purchase price of each parcel sold to a railroad or canal company and the value placed by the State Board of Assessors upon the lands of the railroad and canal companies within which such last mentioned parcels are included, and they argue therefrom that the second class property of the railroads and canals is not assessed at true value or at a standard of value equal to

the standard of value adopted by the local assessors in valuing similar property.

They say that they are not able to compare the value of the real estate within the main stem, as fixed by the State Board of Assessors, with the value of adjacent lands as fixed by the local assessors, because the State Board of Assessors gives out no information as to the value placed upon any particular parcel of land within the main stem, and this is true.

Whether the real estate of the railroad and canal companies within this State is valued at a higher standard of value than the real estate of the individual, we are not, from the information before us, able definitely to determine.

The solution of the question undoubtedly is to be found in a central Board of Equalization, with full power to hear and determine controversies between the railroad and canal companies on the one hand and the State and taxing districts on the other, in respect to the listing and valuing of the real estate of the individual and the real estate of the railroad and canal companies, with full power to bring to one standard of value the real estate of the individual assessed by the local assessors and the real estate of the railroad and canal companies assessed by the State Board of Assessors.

There is not the slightest difficulty in valuing the real estate included in the main stem of a railroad within a taxing district, just as other real estate within the district is valued.

The State Board of Assessors already lists and values real estate used for railroad and canal purposes, including the roadbed, other than the main stem, waterways, reservoirs, tracks, buildings, water tanks, water works, riparian rights, docks, wharves and piers and all other real estate except lands not used for railroad and canal purposes, parcel by parcel, plot by plot, within each taxing district.

The same system can be pursued in the listing and valuing of real estate within the main stem. This was, in fact, the system pursued by the State Board of Assessors in 1884, and is, in fact, the only method of arriving at the value of the land within the main stem.

In the State of New York all the real estate of railroads used for railroad purposes is valued precisely on the same basis as the real estate of the individual.

The land is taken at its market value, based upon the market value of adjacent lands. The rails, sleepers and depot buildings used for passengers and other structures are valued at the cost of reproduction, less depreciation.

The real estate of the railroad and the real estate of the individual are thus valued by the same standard of value, listed with like certainty and taxed at the same rate—local rate.

And this is just to the railroad and just to the individual.

B.

CAN EQUALITY BE SECURED IN THE TAXATION OF PERSONAL PROPERTY?

Personal property in this State and in all States is an important source of tax revenue.

Of the property assessed by the local assessors in this State sixteen per cent. of the total is personal property and eighty-four per cent. is real estate.

In the cities of the New England States, where it is conceded the listing and valuing of personal property is thorough, we find that of the total property, real and personal, assessed by the local assessors, eighty per cent. (80%) represents the value of the real estate, and twenty per cent. (20%) represents the value of the personal property.

The real estate of railroad and canal companies in this State is valued at	$142,418,462 00
The personal property at	25,201,118 00
Total, ...	$167,619,580 00

85 per cent real estate.
15 per cent. personal property.

The total value of the real estate assessed by the local assessors is	$877,152,027 00
The total personal property so assessed is	157,713,986 00
Total,	$1,034,866,013 00
84 per cent. real estate	
16 per cent personal property	

In seven of the most important cities of Massachusetts—Boston, Cambridge, Fall River, Holyoke, Lowell, Lynn and Worcester:

The assessed value of real estate is	$1,342,611,701 00
The assessed value of personal property is	342,419,613 00
Total,	$1,685,031,314 00
80 per cent. real estate.	
20 per cent personal property.	

In thirteen of the principal cities of New York—Albany, Binghampton, Buffalo, Cohoes, Newburgh, New York, Rochester, Schenectady, Syracuse, Troy, Utica, Watertown and Yonkers:

The assessed value of real estate is	$5,418,052,266 00
The assessed value of personal property is	737,600,064 00
Total,	$6,155,652,330 00
88 per cent. real estate.	
12 per cent. personal property.	

In three of the principal cities of Connecticut—Bridgeport, Hartford and New Haven:

The assessed value of real estate is	$205,120,039 00
The assessed value of personal property is	48,201,244 00
Total,	$253,321,283 00
81 per cent. real estate.	
19 per cent. personal property.	

In five of the principal cities of Ohio—Cincinnati, Cleveland, Columbus, Dayton and Toledo:

The assessed value of real estate is	$462,689,480 00
The assessed value of personal property is	126,646,330 00
Total, ...	$589,335,810 00
79 per cent. real estate.	
21 per cent. personal property.	

In five of the principal cities of New Jersey—Camden, Hoboken, Jersey City, Newark and Paterson:

The assessed value of real estate is	$319,104,332 00
The assessed value of personal property is	58,082,918 00
Total, ...	$377,187,250 00
85 per cent. real estate	
15 per cent personal property.	

Personal property is of two classes—

A. Tangible personal property;

B. Intangible personal property.

A.

TANGIBLE PERSONAL PROPERTY.

The tangible personal property of the individual consists largely of tools and machinery, material in course of manufacture and manufactured goods not yet sold in the factories; fixtures and stock in trade of the merchant; wagons, implements, live stock and products of the farmer; books and office furniture of the professional man; household furniture, horses, carriages, automobiles and other vehicles of the citizen.

The tangible personal property of railroads and canal companies consists principally of locomotives, passenger and freight cars, ferry-boats and canal boats.

THE VALUE OF TANGIBLE PERSONAL PROPERTY IN THIS STATE.

The relative values of real estate and tangible personal property can perhaps be tested by the amount of insurance placed

upon buildings as compared with the amount of insurance placed upon contents of buildings taken in connection with the comparative values of buildings and lands.

INSURANCE IN THE CITY OF NEWARK.

During the twelve years from 1892 to 1903, inclusive, the reports of the Fire Department of the City of Newark show 7,227 fires.

The insurance on the buildings in which these fires occurred amounted to	$16,631,836 25
The insurance on the contents of the buildings was	16,518,618 01

INSURANCE IN THE CITY OF PATERSON.

Like reports for the city of Paterson for the years 1892 to 1904, inclusive, not including the conflagration in February, 1902, show 3,859 fires.

The insurance on the buildings in which these fires occurred amounted to	$12,257,362 00
The insurance on the contents of the buildings was	11,473,480 00

In sixteen municipalities in this State, the local assessors in making their assessments for the year 1903 divided the lands from the buildings and assessed each separately.

Total value of land assessed,	$122,254,620 00
Total value of buildings and improvements assessed at	120,166,315 00

In the city of Newark the Board of Assessment and Revision of Taxes has not yet completed the valuing of lands and buildings separately. In the portion of the city in which they have so made their valuations, the value of the land is in excess of that of the buildings.

From information received from insurance agents we are led to believe that personal property is more fully insured than are

the buildings; that fires have occurred more frequently in factories and stores where the proportionate value of personal property to buildings is greater than in the residential section of the cities, and that the insurable value of personal property, especially machinery, tools and fixtures, is much in excess of their selling value at private sale.

The figures showing the assessed value of lands and the assessed value of buildings and improvements in the sixteen municipalities of this State, in which the assessors have so divided the assessments, no doubt quite accurately represent the proportionate value of the lands to the value of the buildings in cities. In farming districts the proportionate value of land is no doubt greater.

Local assessors in the State of Indiana have for many years assessed separately lands and improvements.

In cities and towns for the year 1899 the value of the lands was	$162,741,375 00
And the value of the improvements was	163,371,084 00

The value of lands other than city lots was:

Farm lands,	$449,561,158 00
The value of improvements on such lands,	84,692,005 00
Value of all lands in the State,	$612,302,523 00
Value of all improvements,	248,063,089 00
	$860,365,612 00

If we assume that the tangible personal property in Indiana was, in 1899, equal in value to the buildings or improvements, we would have the following comparison between the value of real estate and the value of tangible personal property:

Real estate,	$860,365.061 00
Tangible personal property,	248.063,089 00
Total,	$1,108,429,150 00

Real estate, 78 per cent.
Tangible personal property, 22 per cent.

Basing our judgment upon the above information and figures, we are inclined to the belief that the tangible personal property in this State does not exceed in actual value twenty-five per cent. of the combined value of the tangible personal property and real estate.

And this agrees substantially with the results reached by the experts of the railroad companies.

TAXATION OF TANGIBLE PERSONAL PROPERTY.

In the taxation of tangible personal property there is no doubt difficulty both in the listing and in the valuing.

It is difficult to secure a complete and accurate list of the tangible personal property of the railroad and canal companies and in placing a value upon the property when listed. The same is true of the tangible personal property of the individual.

Our own courts have held that the rolling stock of railroads used in inter-state commerce is not taxable in cases where the railroads have sufficient local equipment; the United States courts have taken the view that this class of property may be made subject to taxation, based upon the proportion of time that the propery is actually within the State.

If this is not a sound legal position it would seem to be sound as between the States, and it may be that our courts have not yet spoken the final word on this subject.

In view of the provisions of our Constitution governing the subject of taxation, we do not think it expedient to discuss whether all tangible personal property should bear a tax burden equal to that borne by real estate of equal value.

The inclination of the tax assessor is certainly not to assess the machinery, tools and stock in course of manufacture and manufactured goods unsold, with the same exactness and at the same standard of value applied to real estate; the excuse given being that the prosperity of the State depends largely upon its manufacturing interests, and that an excessive burden of taxation placed upon these manufacturing interests would result in driving them into another State.

It is nevertheless the duty of the assessor to execute the law as he finds it; and it is therefore his duty to list this property and other property accurately and completely, and value it at its true value.

The true value of the tangible personal property as tested by the Constitution and laws of this State is what it would sell for at a private sale with a willing buyer and a willing seller.

The selling value of tools and machinery is found to be very much less than the cost price or reproduction value.

The same is true of household furniture. It not only depreciates rapidly in value, but when used at all it has lost for selling purposes most of its value.

It is likewise true that the rolling stock and most of the tangible personal property of railroads and canals depreciates rapidly, and its selling value is much less than reproduction value.

Difficult as the task may be, it is the duty of the State Board of Assessors correctly to list and value the tangible personal property of the railroad and canal companies in this State, and it is likewise the duty of the local assessor correctly to list and value the tangible personal property of the individual.

That the State Board of Assessors performs the duty imposed upon it to the best of its ability we have no question. That the local assessors are also zealous in the performance of their duties in listing and valuing the tangible personal property of the individual we have no question.

When viewed in the light of the results attained by the local assessors in this State as compared with the results attained by the local assessors in the States of Massachusetts, Connecticut, New York and Ohio we find that there is little to criticise.

B.

INTANGIBLE PERSONAL PROPERTY.

The intangible personal property of the individual consists largely of:

Bonds and mortgages;

Stocks and bonds of steam railroad companies,

Ferry companies,
Telegraph and telephone companies,
Street railway companies,
Gas, electric light and water companies.
Mining companies,
Manufacturing and mercantile companies;
Stock of building loan associations;
Stocks and bonds of life and fire insurance companies;
Stock of national banks, State banks and trust companies;
Deposits in national and State banks and in trust companies;
Deposits in savings banks;
Life insurance policies;
Annuities;
Accounts receivable, and
Bills receivable.

The intangible personal property of the railroad and canal companies consists largely of:

Stocks and bonds of railroad companies in this and in sister States;
Deposits in banks;
Accounts receivable, and
Bills receivable.

THE VALUE OF THE INTANGIBLE PERSONAL PROPERTY OWNED BY THE INDIVIDUAL.

It is quite difficult to estimate the amount or the value of the intangible personal property owned by the individual.

We know that the savings banks hold bonds secured by mortgages upon real estate in this State, bonds of railroad companies of this State, municipal bonds of this State and national securities in large amounts.

Attached hereto are schedules showing the holdings of the Howard Savings Institution and the Security Savings Institution of the city of Newark in these classes of securities.

The building loan associations of this State have many millions of dollars invested in mortgages upon real estate.

The life insurance companies are very large holders of bonds and mortgages and of steam railroad bonds, street railway bonds of companies of this State and of other States.

Attached hereto are schedules showing the classified holdings of the Mutual Benefit Life Insurance Company and the Prudential Life Insurance Company.

Many of our manufacturing and mercantile establishments are incorporated, and the bonds and stock of these companies are in the hands of the individual citizens, as are also stocks and bonds of steam railroad companies, street railway companies, gas companies, electric light companies, mining companies and many other companies of similar nature.

The deposits in the banks, trust companies and savings institutions are large. The stock of building loan associations is also large in amount and in value.

There are many bills receivable held by banks, trust companies, business houses and individuals, and the amount of accounts receivable is large.

The amount of life insurance is also large.

THE VALUE OF INTANGIBLE PERSONAL PROPERTY OWNED BY THE RAILROAD AND CANAL COMPANIES.

We know that the railroad companies are the holders of large amounts of intangible personal property.

They hold the stock and securities of railroad corporations of this State, and they also hold the stock and securities of railroad companies of other States.

The Central Railroad of New Jersey holds stock and securities of the Lehigh and Susquehanna Railroad of Pennsylvania in large amount.

Next to the insurance companies these railroad companies are undoubtedly the largest holders of intangible personal property in this State.

TAXATION OF INTANGIBLE PERSONAL PROPERTY.

The taxation of intangible personal property is admitted to be the most difficult and most unsatisfactory part of any system of taxation.

With respect to intangible personal property there exists much confusion of mind; most of the so-called intangible personal property is in fact only the evidence of ownership of or interest in property—real estate and tangible personal property—otherwise listed, valued and taxed under the laws of this State or under the laws of the State where the physical tangible property exists.

We should not as a question of justice, nor should we as a question of expediency, resort to double taxation of property; if we tax the railroad and canal at its true value and also impose a tax upon the bonds and stock of the company we have twice taxed the property.

If the real estate of the individual is taxed at its true value, without regard for mortgage debt, then the mortgage debt should not be taxed at its true value. This would be double taxation.

If a mercantile or manufacturing company owning real estate and personal property is taxed for its real estate and personal property at true value, the stock of the corporation should not be taxed at its true value. This would be double taxation.

We cannot accept as sound the proposition that "Whatever anything is worth for income and sale it is worth for taxation."

The attempt to tax everything that can be sold at its selling price, whether it is property or the evidence of property, and whether it results in single, double or triple taxation, has never, we think, been put into successful operation, and can never be put into successful operation. From the very nature of the case it must fail. Double taxation is not only unjust in theory, but in practice it is not enforceable.

Most of the local securities, both bonds and stock of corporations of this State, are exempt from taxation on the ground that they are only the evidence of ownership of or interest in property in this State which has been once taxed.

The same is now true of bonds secured by mortgages upon real estate in this State; the same is true of the municipal bonds and securities of the United States; with respect to bonds and stock of corporations of other States, they are thought to be taxable under the act of 1903, at least Mr. Coult, the city counsel of Newark, has so advised.

Bonds secured by mortgages upon real estate in other States are taxable under the act of 1903.

The taxation of stocks and bonds of corporations of other States representing ownership or interest in property situated in another State cannot with justice be taxed at local rates, because it results in double taxation. They cannot, in fact, be so taxed, because it would amount to confiscation.

The same is true of bonds secured by mortgage upon real estate in other States when the real estate is taxed without deduction for mortgaged debt.

We think, also, that deposits in savings institutions should not be taxed at local rates. The money of the depositor is invested by the savings institution as the trustee of the depsitors in non-taxable securities. If the money were so invested by the depositor it would not be taxed when invested by his trustee.

Deposits in savings institutions cannot in fact be taxed; they pay the depositors three per cent. per annum; the average local rate is 2.2 per cent. per annum. Taxation at local rates would amount to confiscation.

The same is true of life insurance policies.

As to credits, namely, bills receivable, accounts receivable and bank deposits, we are told by men of affairs familiar with the subject that for each creditor there must be a debtor, and that on final analysis credits and debits must in the business world balance each other.

We are also told by men who have made deep study of the question of taxation that when you have taxed all real estate, all personal property, all franchises and all earning capacity, you have taxed all there is to be taxed.

We commit ourselves to neither of these propositions, but submit them to you for your consideration.

TAXATION OF INTANGIBLE PERSONAL PROPERTY OF THE INDIVIDUAL.

With the exception of bank stocks, we think that very little of the intangible personal property of the individual is listed, valued and taxed by the local assessors.

TAXATION OF INTANGIBLE PERSONAL PROPERTY OF RAILROAD AND CANAL PROPERTY.

As we understand it, none of the intangible personal property of the railroad and canal companies is either listed, valued or taxed.

It seems to us quite inconsistent for the railroad companies to insist that they are wronged from the fact that the intangible personal property in the hands of the individual is not fully listed and taxed, and itself fail to report for taxation the intangible personal property in its own treasury.

It is the duty of the local assessor to be diligent in the listing and valuing of the intangible personal property made taxable by law, but it is not the duty of the Legislature, in our judgment, under the guise of taxation of intangible personal property, to subject real and personal property to double taxation.

With respect to the personal property, therefore, we conclude that the personal property made taxable by law should be listed with the greatest accuracy possible; it should be valued at its true value—selling value—and so much of it as has a fixed locality or situs should be taxed at local rates; and so much of it as is without locality or situs, such as the rolling stock of railroads, should be taxed at the average local rate.

Whether the personal property of railroad and canal companies in this State is more accurately listed, and valued at a higher standard of value than is the personal property of the individual, is a question of personal judgment.

The solution of the whole question is to be found in a Board of Equalization, vested with full power to hear and determine all

controversies with respect to the listing and valuing of the personal property of the individual, and the listing and valuing of the personal property of the railroad and canal companies, and to bring them to one standard of value.

Can equality be secured in the taxation of franchises?

If the property, real and personal, of railroad and canal companies is fully listed and valued at the standard of value by which the property, real and personal, of the individual is listed and valued by the local assessors, and taxed at local rates, can there in justice be added a franchise tax to the tax burden to be borne by the railroad and canal companies?

The franchise of a railroad or canal company is property different from that possessed by the individual or private corporation.

The State has conferred upon the railroad or canal company especial rights and privileges—the right to cross the public streets with their tracks and structures, the right to take tolls from passengers and for freight, and has delegated to them the right to condemn lands for their respective roadways.

So far as the thing to be valued and taxed, therefore, is franchise—special privileges of money value, which are possessed by the railroad and canal companies, and are not possessed and cannot be acquired by the individual—there is, we think, no valid reason why it should not be taxed.

The question is not one of equal taxation. The question is whether the tax burden placed upon the franchise is fair.

In view of the fact that the earning capacity and good will of business of the individual is not taxed, and that the value of the bonds and stock of the private corporation in excess of the value of its tangible property is not taxed, we are not prepared to recommend that the present franchise tax on railroad and canal companies should be changed. The rate of taxation on the franchise must, we think, be left for the Legislature itself to determine, and deal with from time to time as may seem just.

XIII.

HOW THE PROPERTY OF THE RAILROAD AND CANAL COMPANIES OF THE STATE SHOULD BE TAXED.

1. The real estate of the railroad and canal companies should be taxed as the real estate of the individual is taxed. There should be applied:

An equal tax rate—local tax rate;

An equal standard of value, and

Equal certainty in listing.

2. The tangible personal property of the railroads and canals, having a fixed locality or situs, should also be taxed as the tangible personal property of the individual is taxed.

3. All other taxable property of railroads and canals, tangible and intangible, should be taxed as the personal property of the individual is taxed, except that there should apply to it instead of local rates, the average local rate.

4. The franchise should be taxed as it has heretofore been taxed.

The State Board of Assessors should list, value and tax all the property of the railroad and canal companies, for the reason that it requires expert knowledge to do so.

The local assessors should list, value and tax the property of the individual.

The valuations should be equalized by a State Board of Equalization.

XIV.

THE BOARD OF EQUALIZATION.

There should be created a State Board of Equalization, with ample power to correct errors in the listing and valuing of property of railroad and canal companies and the listing and valuing of property of the individual.

If it is thought wiser not to create a new board, then full powers of equalization should be given to the State Board of Taxation.

XV.

THE FINANCIAL RESULTS TO BE ANTICIPATED FROM THE PROPOSED METHOD OF TAXING PROPERTY OF RAILROAD AND CANAL COMPANIES.

By the proposed method of valuing real estate in the main stem, plot by plot, using as a basis of value the market value of land in the immediate vicinity, the value of continuity will not appear in the value of the main stem, but will appear in the increased value of the franchise.

Estimating the value of continuity at forty per cent. of the value of the main stem (forty per cent. of $99,582,365), the value of continuity is found to be $39,832,946; deducting this amount from the value of the main stem and adding the same amount to the value of the franchises, and estimating the value of personal property with situs at $1,000,000, we have as a result values as follows:

Main stem,	$59,749,419 00
Real estate outside main steam,	42,836,097 00
Tangible personal property with situs, estimated,	1,000,000 00
Tangible personal property without situs, estimated,	24,201,118 00
Franchises,	99,408,481 00
	$227,195,115 00

It would be taxed approximately as follows:

Main stem, $59,749,419, at local rate, $22 per $1,000 of value,	$1,225,198 00
Real estate outside of main stem, $42,836,097, at local rate, $22 per $1,000 of value,	1,057,461 00
Tangible personal property with situs, $1,000,000, at local rate, $22 per $1,000 of value,	22,000 00
Tangible personal property without situs, $24,201,118, at average local rate, $22 per $1,000 of value,	532,424 00
Franchises, $99,406,481, at $5 per $1,000 of value,	497,042 00
Total,	$3,234,125 00

If it should be found by the Board of Equalization that the contention of the railroad and canal companies is right and that the property of the railroad and canal companies is valued at true value, and the property of the individual is valued at sixty per cent. of true value, then we should have as the tax to be borne the following:

Main stem, 60 per cent. of $1,225,198,	$735,118 80
Real estate outside of main stem, 60 per cent. of $1,057,461,	634,476 60
Tangible personal property without situs, 60 per cent. of $532,424,	319,454 40
Tangible personal property with situs, 60 per cent. of $22,000,	13,200 00
Franchises, $99,408,481, at $5 per $1,000 of value,	497,042 00
	$2,199,291 80

XVI.

EQUALITY OF TAX BURDEN THE ALL IMPORTANT ISSUE.

The question of supreme importance is that the property of railroad and canal companies and the property of the individual shall respectively bear their equal and just share of the tax burden; when this is secured it may then be considered how the tax shall be distributed.

XVII.

HOW THE TAX SHOULD BE DIVIDED.

We think that the tax upon personal property without situs and franchise should be retained by the State, and that the tax upon real estate, both within and outside the main stem, with the tax upon tangible personal property with situs, should go to the municipalities.

Under this division of taxes the State would for its own use receive taxes as follows:

Personal property without situs, $24,201,118, at $22 per $1,000 of value, ...	$532,424 00
Franchise, $99,408,481, at $5 per $1,000 of value, ..	497,042 00
	$1,029,466 00

It would seem unlikely, therefore, that the revenue of the State would be impaired.

The State now receives from tax on main stem, franchise and tangible personal property, tax as follows:

Main stem, $99,582,365, at $5 per $1,000 of value,	$497,911 82
Tangible personal property, $25,201,118, at $5 per $1,000 of value,	126,005 59
Franchise, $59,575,535, at $5 per $1,000 of value,	297,877 67
	$921,795 08

It is just that the municipalities should have for local use the revenue to be derived from the taxation of real estate and tangible personal property of railroad and canal companies within their respective districts.

The real and tangible personal property of railroad and canal companies within a municipality require like police and fire protection as similar property of the individual, and with the business of the railroad and canal there comes into a municipality some of the officers and employees of the railroad and canal company, and to these and to their homes must be given police and fire protection and other municipal advantages, and to their children must be given school advantages.

If it is found that the taxes received by the State from personal property, without situs and franchise, is not sufficient for State purposes, then there should be retained by the State from the tax to be collected upon the main stem such proportion as will amply provide the necessary State revenue.

XVIII.

THE REPORT OF THE MAJORITY OF THIS COMMISSION.

1. The majority of the members of this Commission have reached the conclusion that the main stem of each railroad

should be taxed as a unit, and say that you must determine its value as a unit before it can be distributed into valued parts. They say that property of this kind must be valued as a whole, and that to divide it will destroy its value.

The main stem of the Pennsylvania Railroad is divided by the centre line of the Delaware river—not physically, but for purposes of taxation—but we do not think that it has destroyed the value of the main stem of that road, either in the State of New Jersey or in the State of Pennsylvania. The State lines divide the main stem of the Erie Railroad, the Lehigh Valley Railroad and the other important railroads of this State. In no case has the value of those main stems been thereby destroyed.

We agree that if there was to be a physical division of the property and the main stem was to be divided by impassable walls at each taxing district, its value for railroad purposes would be destroyed.

If the main stem was so divided from railroad property outside of the main stem, its value would in like manner be in a large measure destroyed. So in a like manufacturing plant, if land and buildings used for the power plant were separated from the rest of the plant, the value of the plant for the purposes for which it was erected would be destroyed. And so of gas works and the gas mains in the streets; separate them and you destroy their value, and yet in all of these cases, for the purposes of taxation, the value of each part is estimated separately, the assessor assuming that each part was erected for a useful purpose. The main stem of the Pennsylvania Railroad is divided by the centre line of the Delaware river, not physically, but for purposes of taxation, but we do not think that it has destroyed the value of the main stem of that road, either in the State of New Jersey or in the State of Pennsylvania. The State lines divide the main stem of the Erie Railroad, the Lehigh Valley Railroad and the other important railroads of this State. In no case has the value of these main stems been thereby destroyed.

The contemplated division of main stem is not, therefore, a physical division. It is a division theoretically only and for taxing purposes only. Before the value of the main stem as a

unit can be ascertained, it is certainly necessary that the value of the land within the main stem shall be ascertained, and that the value of the structure upon this land shall be ascertained. We know of no method of making such ascertainment except by taking the land plot by plot and adding to the value thus ascertained the value of construction, cuts and embankments, the laying and ballasting of the track, and the cost of passenger stations and other structures. If when all of these elements are ascertained and valued, there be additional value attached to the main stem, this may also be taken into consideration.

If by valuing the main stem as a unit it is intended that the assessors shall not, to reach that value, ascertain the separate value of land and structure, their value of the main stem as a unit will be worse than a guess.

We do not think, however, that for the purpose of this discussion it makes the slightest difference whether the main stem is to be valued as a unit or whether the real estate within the main stem is to be valued plot by plot at values based upon the values of adjacent land. What is intended to be accomplished in either case is that the main stem, for purposes of taxation, is to be valued at its true value. Whichever method arrives nearest at true value—the standard of value which must be applied to the property of the railroad as well as to the property of the individual—that is the method which should be taken. Whether, therefore, the main stem be valued in one way or the other is of little importance in determining the question of equal taxation.

2. The majority of the commission are of the opinion that the main stem values at true value should be taxed for the benefit of the State alone. The State at present does not need this revenue and it is greatly needed by the municipalities. It may be in the future that the State will need the revenue, and our view is that when the revenue is needed by the State it must have it, and until it is needed, it should be distributed to the municipalities in proportion to the value of that property within the main stem in each municipality.

The majority think that the tax received by the State for the

main stem should, for the present at least, or until it is needed by the State for its own purposes, be distributed to the municipalities of the State, in relieving them from the burden of school or other taxes.

The difference between us is not serious, and certainly not of any material importance in discussing the questions of equal taxation.

3. The majority of the Commission, while they see their way clear to advocate an equal standard of value and an equal certainty in the listing of railroad property and the property of the individual, cannot see their way clear to declare in favor of an equal tax rate. They advocate an equal standard of value and provide a central Board of Equalization so that such standard may be secured, but when it comes to fixing the tax rate, they say that the main stem of the railroad, valued at the same standard of value as the property of the individual, should be taxed not at local tax rate or at the average local tax rate, but that it should be left to the Legislature to consider "whether it might not be judicious to further amend the act of 1884 so that the rate of taxation of one-half of one per cent. fixed therein on main stem property, be increased to a higher rate, the established rate, however, not to exceed the average local rate throughout the State."

We have shown that without equal tax rate there cannot be equal taxation, and if equal taxation is as it is claimed, "a dream unrealized," it is nevertheless admitted by all that the tax system which most nearly attains this is the best.

However the main stem is to be valued, whether as a unit or otherwise, and for whose benefit it is to be taxed, whether for the benefit of the State or for the benefit of the municipality, it must in justice, if valued by the equal standard of value applied to the property of the individual, be taxed at the rate applied to the property of the individual; that is, it must be taxed at local rates or by the average local rate.

And so in regard to the taxation of the tangible personal property of the railroads and canals without situs. We cannot agree with the majority, that this property should be taxed at a rate other than the local rates or average local rate.

We agree with the report of the majority of the commission, that there should be a limit placed on the tax rate in several municipalities in this State. We think, however, that this can best be accomplished by fixing a limit on the annual or running expenses of the municipality. There should also be fixed a limit beyond which the municipality should not be allowed to incur debt, funded or otherwise. This would work out a practical limit to the tax rate, and in a way it would be the least likely to embarrass the municipality.

XIX.

THE TAX BURDEN PROPOSED TO BE PLACED UPON THE RAILROAD AND CANAL COMPANIES IS NOT FROM ANY VIEW EXCESSIVE.

1. Real estate in the city of Newark, valued as it is now valued, and taxed as it is now taxed, pays to the local collector from twenty-five per cent. to thirty-three per cent. of its net income, without allowance for depreciation.

Real estate in Jersey City pays to the local tax collecor from thirty-three per cent. to forty-five per cent. of its net income without allowance for depreciation; and we have no doubt that real estate in the other cities of the State pays to the local tax collector a like percentage of net receipts.

2. We are informed on reliable authority that bank stock in this State pays in taxes twenty-five per cent. of its net earnings.

3. If it be true that the net income for the railroad and canal companies for the year 1903 was $18,000,000, and the tax upon railroad and canal property was $1,690,688, as claimed by the representatives of the railroads, then these companies pay nine per cent. of their net income in taxes.

The railroad and canal companies have borne as their proportion of the combined tax burden imposed upon the individual and upon the railroad and canal companies, if the following tables are correct:

In 1884 12. % of total tax.
In 1895 8.7 % of total tax.
In 1903 6.5 % of total tax.

In 1884 the assessment by the local assessors amounted to $525,154,136.

Tax thereon,	$9,263,218 00
Railroad tax,	1,273,670 98
Total tax,	$10,536,888 98

Railroads and canals, 12.0 of total tax.

In 1895 the assessment by the local assessors amounted to $786,998,070.

Tax thereon,	$16,025,407 00
Railroad tax,	1,514,411 00
Total tax,	$17,539,818 00

Railroads and canals, 8.6 of total tax.

In 1903 the assessment by the local assessors amounted to $1,008,212,142.

Tax thereon,	$22,478,000 00
Railroad tax,	1,564,310 00
Total tax,	$24,042,310 00

Railroads and canals, 6 5 of total tax.

The gross receipts of railroad and canal companies in this State for the year ending December 31, 1883, were	$30.919,622 00
For the year ending December 31, 1903,	62,731,124 00

The railroad and canal companies in this State paid taxes, calculated on basis of percentages on gross receipts, as follows:

For the year 1884, gross earnings,	$30,919,622 00
Taxes,	1,273,670 98

Tax 4.2 per cent. of gross earnings.

For the year 1903, gross earnings,	$55,576,931 85
Tax,	1,564,309 61

Tax 2.5 per cent. of gross earnings.

It is of interest to compare the taxes paid by the important railroad systems in the vicinity of New York with the taxes paid by the railroads of New Jersey, computed on percentages of gross earnings:

Boston and Albany R. R. Groups 1 and 2.
Gross earnings, ... $10,505,435 00
Taxes, ... 945,841 00
Taxes 9 per cent. of gross earnings.

Boston and Maine R. R. Mass. Report 1903, pages 23 and 24.
Gross earnings, ... $33,738,984 00
Taxes, ... 1,619,119 00
Taxes 4.8 per cent of gross earnings.

N. Y., N. H. and N. R. R. Mass Report 1903, pages 120 and 121.
Gross earnings, ... $47,296,078 00
Taxes, ... 2,385,390 00
Taxes 5 per cent. of gross earnings.

N. Y. C. and H. R. R. R. Interstate Com. Rep., pages 405-541. Groups 1 and 2.
Gross earnings, ... $77,702,931 00
Taxes, ... 3,634,627 00
Taxes 4.7 per cent. of gross earnings.

XX.

CONCLUSION.

The end to be reached is equal taxation, and equal taxation requires for its accomplishment:

An equal tax rate;
An equal standard of value;
An equal certainty in the listing of property.

The laws of this State now in force provide:

An *unequal* tax rate;
An equal standard of value, and
An equal certainty in the listing of property.

As the necessary result, there has been and now is in this State:

Unequal taxation.

To secure equal taxation in this State, we have recommended:

1. The substitution of an equal tax rate, for the unequal tax rate now provided by law.
2. An Equalization Board, with full power to see that all property in this State, whether owned by the individual or by the railroad and canal companies, shall bear equal tax burdens in fact, as well as in law, and that to all property there shall be applied:

   An equal standard of value;

   An equal certainty of listing.

And this, with

An equal tax rate,

will, we believe, secure as between the railroad and canal companies and the individual:

Equal taxation under the law, and

Equal taxation in fact.

SCHEDULE I.

Showing how the assessed value of real estate compares with the assessed value of personal property in the principal cities of Massachusetts, New York, Connecticut, Ohio and New Jersey.

	Estimated Population Jan 1, 1904.	Tax Rate Per $1,000 of Value.	Percentage of Real Value of Property Assessed.	Assessed Property Value Real	Assessed Property Value Personal.
Massachusetts.					
Boston,	608,290	$14 80	100	$985,553,300	$234,897,023
Cambridge,	95,588	18.30	100	80,396,900	17,742,985
Fall River,	108,000	18 20	100	46,919,300	28,474,997
Holyoke,	51,000	16.40	100	30,019,360	10,436,380
Lowell,	101,959	20 40	100	56,822,710	15,173,143
Lynn,	74,000	18 00	80	52,759,481	9,626,720
Worcester,	124,313	16.00	100	90,140,650	26,068,365
				$1,342,611,701	$342,419,613
				80 per cent.	20 per cent.

	Estimated Population Jan. 1, 1904.	Tax Rate Per $1,000 of Value.	Percentage of Real Value of Property Assessed.	Assessed Property. Value. Real	Assessed Property. Value Personal
New York.					
Albany, ...	100,000	$19.00	100	$60,216,787	$5,033,700
Binghampton, ...	45,000	16.00	75	19,272,000	1,706,300
Buffalo, ...	380,000	17.36	100	233,066,365	18,958,200
Cohoes, ...	25,000	14 10	100	10,833,830	1,171,165
Newburgh, ...	27,000	18 20	50	9,664,850	487,050
New York, ...	3,784,853	14 75	100	4,751,532,826	680,866,092
Rochester, ...	175,000	17.08	80	112,306,875	5,874,750
Schnectady, ...	55,000	....	..	13,357,111	2,067,235
Syracuse, ...	120,000	16.36	75	76,328,109	7,945,000
Troy, ...	78,000	15.10	100	50,838,089	3,105,270
Utica, ...	65,000	17 80	100	32,922,276	5,493,752
Watertown, ...	26,000	19 85	75	8,963,230	1,476,850
Yonkers, ...	55,000	22 83	70	38,749,918	3,314,700
				$5,418,052,266	$737,600,064
				88 per cent.	12 per cent
Connecticut.					
Bridgeport, ...	83,000	$13.30	100	$57,198,368	$6,943,636
Hartford, ...	85,000	21.00	75	53,374,312	30,181,399
New Haven, ...	115,000	13 25	100	94,547,359	11,076,209
				$205,120,039	$48,201,244
				81 per cent	19 per cent
Ohio.					
Cincinnati, ...	340,000	$23.18	60	$175,000,000	$40,000,000
Cleveland, ...	400,000	13.02	40	146,374,080	46,320,890
Columbus, ...	155,000	27.50	50	55,552,190	15,495,110
Dayton, ...	100,000	25.46	45	35,377,560	10,599,670
Toledo, ...	150,000	29.60	40	50,385,650	14,230,660
				$462,689,480	$126,646,330
				79 per cent	21 per cent.
New Jersey.					
Camden, ...	80,000	$21 60	67	$27,953,557	$2,286,370
Hoboken, ...	64,000	23 30	100	30,617,500	2,186,400
Jersey City, ...	223,037	27 80	70	88.328,930	12,221,096
Newark, ...	270,000	22 20	75	131,243,762	33,247,650
Paterson, ...	111,441	25 00	60	40,960,583	8,141,402
				$319,104,332	$58,082,918
				85 per cent.	15 per cent.

Eagle Almanac, 1904.

SCHEDULE II.

Fire insurance on buildings and contents of buildings as shown by the record of the Fire Departments of Newark and Paterson.

NEWARK.

Year.	Station Alarms	Still Alarms	Total Loss on Buildings.	Loss on Contents.	Insurance on Buildings.	Insurance on Contents.
1892	344	144	$115,414 65	$398,559 18	$1,303,554 35	$1,730,514 04
1893	283	139	109,579 51	302,485 54	963,209 94	1,748,662 85
1894	313	141	189,617 46	349,279 00	1,093,982 78	919,450 82
1895	299	151	161,486 00	512,868 70	1,170,518 38	1,433,031 50
1896	387	145	82,345 98	220,636 12	943,311 78	614,425 76
1897	420	178	99,247 81	114,060 91	1,036,907 45	659,581 98
1898	395	186	101,402 22	281,935 15	1,071,043 81	758,142 84
1899	505	274	91,060 52	256,431 08	1,334,530 17	1,205,959 77
1900	532	165	219,176 05	648,757 85	1,227,875 66	1,137,700 89
1901	558	107	75,903 24	159,611 59	1,244,523 12	693,665 84
1902	627	109	82,125 15	118,345 69	1,778,838 31	1,863,451 00
1903	689	136	150,447 58	337,784 56	3,463,540 50	3,754,030 72
	1,875	5,352	$1,477,806 17	$3,700,755 37	$16,631,836 25	$16,518,618 01

Insurance on buildings, $16,631,836.25.
Insurance on contents of buildings, $16,518,618 01.

PATERSON.

	First Bell Alarms.	Still Alarms.	Total Alarms.	Insurance on Buildings.	Insurance on Contents.	Actual Loss on Buildings.	Actual Loss on Contents.
1892, ..	106	141	247	$849,141	$1,113,605	$52,374	$46,503
1893, ..	103	122	225	691,775	403,617	27,474	43,628
1894, ..	97	130	227	681,646	822,017	47,662	220,099
1895, ..	113	143	256	1,161,934	1,559,356	26,617	53,319
1896, ..	98	141	239	742,825	866,897	44,133	185,396
1897, ..	117	168	285	726,400	301,375	24,606	40,567
1898, ..	177	271	448	1,382,930	1,018,350	46,290	96,493
1899, ..	159	219	378	1,477,100	1,467,625	74,231	139,873
1900, ..	230	212	442	1,201,092	846,969	105,679	117,772
1901, ..	173	180	353	1,125,000	1,125,000	67,000	133,000
1902, ..	155	197	352	1,101,103	1,081,746	53,637	149,260
1903, ..	183	224	407	1,116,416	866,923	121,609	203,662
	1,711	2,148	3,859	$12,257,362	$11,473,480	$691,312	$1,429,572

Insurance on buildings, $12,257,362.00.
Insurance on contents of buildings, $11,473,480.00.
Conflagration loss in February, 1902, not included:
Insurance loss, ... $4,011,000
Actual loss, ... 5,500,000

SCHEDULE III.

Assessments on lands compared with assessment on improvements in cities and towns of New Jersey.

	Land	Improvements
Paterson,	$23,227,818	$22,936,875
Camden,	13,367,363	18,794,757
Trenton,	14,549,300	18,840,675
Elizabeth,	7,885,520	10,862,630
Passaic,	4,229,765	5,678,320
Atlantic City,	32,718,260	11,191,350
Perth Amboy,	3,693,838	4,071,523
Plainfield,	3,549,463	4,825,907
Englewood,	2,569,000	2,400,000
Asbury Park,	1,613,365	2,137,335
Harrison,	2,099,875	1,677,425
Bloomfield,	2,581,315	2,844,730
Irvington,	1,385,088	1,274,288
Montclair,	4,591,200	5,141,400
West Hoboken,	2,619,050	4,801,600
Town of Union,	1,674,400	2,687,500
Totals,	$122,354,620	$120,166,315

Table prepared by Thomas B. Usher, Esq., Secretary of Commission.

SCHEDULE IV.

How first class railroad property would be taxed under proposed plan.

	Apportioned Value of Main Stem Real Estate 1902.	Apportioned Value of Land and Structure Main Stem Real Estate 1902.	Local Tax Rate 1903.	Amount of Tax on Land and Structure Computed on Local Rates.	Amount of Tax on Land and Structure Computed on 80 per cent. Local Rates	Amount, etc., on 60 per cent. Local Rates.
Atlantic,	$2,450,504 70	$1,470,302 82	.0153	$22,495 63	$17,996 50	$13,497 37
Bergen,	4,811,520 00	2,886,912 00	.0235	67,842 43	54,273 94	40,705 45
Burlington,	2,647,438 50	1,588,463 10	0223	35,422 72	28,338 17	21,253 63
Camden,	2,119,547 85	1,271,728 71	.0212	26,960 64	21,568 51	16,176 38
Cape May,	722,295 00	433,377 00	.0273	11,831 19	9,464 95	7,098 71
Cumberland,	691,685 40	415,011 24	.0194	8,051 21	6,440 96	4,830 72
Essex,	7,461,300 00	4,476,780 00	.0243	108,785 75	87,028 60	65,271 45
Gloucester,	855,225 00	513,135 00	.0159	8,158 84	6,527 07	4,895 30
Hudson,	23,019,150 00	13,811,490 00	0227	313,520 82	250,816 65	188,112 49
Hunterdon,	5,572,596 75	3,343,558 05	.0143	47,812 88	38,250 30	28,687 72
Mercer,	5,950,102 20	3,570,061 32	0208	74,257 27	59,405 81	44,554 36
Middlesex,	5,985,000 00	3,591,000 00	.0206	73,974 60	59,179 68	44,384 76
Monmouth,	4,235,700 00	2,541,420 00	0167	42,441 71	33,953 36	25,465 02
Morris,	5,775,000 00	2,465,000 00	0203	50,039 50	40,031 60	30,023 70
Ocean,	1,260,000 00	756,000 00	.0191	14,439 60	11,551 68	8,663 76
Passaic,	3,558,450 00	2,135,070 00	0249	53,163 24	42,530 59	31,897 94
Salem,	331,800 00	199,080 00	.0131	2,607 94	2,086 35	1,564 76
Somerset,	4,897,200 00	2,938,320 00	.0151	44,368 63	35,494 90	26,621 17
Sussex,	2,205,000 00	1,323,000 00	0119	15,743 70	12,594 96	9,446 22
Union,	6,449,100 00	3,869,460 00	.0278	107,570 98	86,056 78	64,542 58
Warren,	8,583,750 00	5,150,250 00	0147	75,708 67	60,566 93	45,425 20
	$99,582,365 40	$58,749,419 24		$1,205,197 95	$964,158 29	$723,118 69

Tax as now assessed on $99,582,365 at $5 per $1,000 of value, ... $497,911.82

Tax as proposed to be assessed on $58,749,419.24 at local rates, ... 1,205,197.95

(Continuity value of main stem estimated at 40 per cent. omitted.)

Computed on equalization basis, 80 per cent., ... $964,158.29

Computed on equalization basis, 60 per cent., ... 723,118.69

SCHEDULE V.

How second class railroad property would be taxed under *all proposed plans.*

	Valuation by State Board of Assessors 1902.	Present Tax Rate.	Amount of Tax Computed at Present Rate	Local Tax Rate 1903.	Amount of Tax Computed at Local Rate.	Computed at 80 per cent Rate.	Computed at 60 per cent. Rate.
Atlantic, ...	$347,529	015	$5,212 93	0153	$5,317 19	$4,253 75	$3,190 31
Bergen, ...	875,049	.015	13,125 73	0235	20,563 65	16,450 92	12,338 19
Burlington, ...	137,993	.015	2,069 89	0223	3,077 24	2,461 79	1,846 34
Camden, ...	1,378,840	015	20,682 60	.0212	29,231 40	23,385 12	17,538 84
Cape May, . . .	140,701	.015	2,110 51	0273	3,841 13	3,072 90	2,304 67
Cumberland, ...	211,800	.015	3,177 00	.0194	4,108 92	3,287 13	2,465 35
Essex, ...	1,296,191	015	19,442 86	.0243	31,497 44	25,197 95	18,898 46
Gloucester, ...	89,934	.015	1,349 01	0159	1,429 95	1,143 96	857 97
Hudson, ...	30,888,628	015	463,329 39	0263+	812,529 55	650,023 67	487,517 75
Hunterdon, ...	383,396	0143	5,482 56	0143	5,482 56	4,386 04	3,289 53
Mercer, ...	731,190	015	10,967 85	0208	15,208 75	12,167 00	9,125 25
Middlesex, . .	2,402,252	015	36,033 78	0206	49,486 39	39,589 11	29,691 83
Monmouth, ...	377,299	.015	5,659 48	0167	6,300 89	5,040 71	3,780 53
Morris, ...	474,652	.015	7,119 78	.0203	9,635 43	7,708 34	5,781 25
Ocean, ...	132,152	.015	1,982 28	0191	2,524 10	2,019 28	1,514 46
Passaic, ...	490,944	.015	7,364 16	.0249	12,224 50	9,779 60	7,334 70
Salem, ...	38,136	.0131	499 58	.0131	499 58	399 66	299 74
Somerset, .. .	199,110	015	2,986 65	.0151	3,006 56	2,405 24	1,803 93
Sussex, ...	122,668	0119	1,459 74	0119	1,459 74	1,167 79	875 84
Union, ..	1,579,390	015	23,690 85	0278	43,907 04	35,125 63	26,344 22
Warren, ...	539,215	0147	7,926 46	.0147	7,926 46	6,341 16	4,755 87
	$42,837,069		$641,672 99		$1,069,258 45	$855,406 75	$641,555 03

Tax as now assessed on $42,837,069 at $15 per $1,000 of value,..... $641,672.99

Tax as proposed to be assessed on $42,837,069 at local rates,..... 1,069,258.45

Computed on equalization basis, 80 per cent.,..... $855,406.75

Computed on equalization basis, 60 per cent.,..... 641,555.07

SCHEDULE VI.

How second class railroad property in Hudson County would be taxed under *all proposed plans.*

	Valuation by State Board of Assessors 1902.	Present Tax Rate.	Amount of Tax Computed at Present Rate.	Local Tax Rate 1903.	Amount of Tax Computed at Local Rate.	Computed at 80 per cent. Local Rate.	Computed at 60 per cent. Local Rate
Bayonne City, ...	$504,018	.015	$7,560.27	.0290	$14,616.55	$11,693 24	$8,769 93
Hoboken City, ...	1,769,696	.015	26,545.44	.0226	39,995 01	31,996 00	23,999 00
Jersey City, ...	22,479,107	015	337,186.60	0278	624,919 17	499,935 33	374,951.50
Harrison, Town, ...	140,741	.015	2,111.11	.0242	3,405.93	2,724.74	2,043.55
Kearny, Town, ...	738,191	.015	11,073 86	.0276	20,374 07	16,299 33	12,224.50
W. Hoboken, Town, ...	500	.015	7.50	.0248	12.40	9 92	7 44
W New York, Town, ...	1,310,650	015	19,659.75	.0246	32,241 99	25,793 59	19,345.19
E Newark, Borough, ...	413	.015	6.19	0178	7.35	5.88	4.41
Secaucus, Borough, ...	69,163	015	1,037 44	.0198	1,369 42	1,095.53	821 65
N Bergen, Twp, ...	216,863	.015	3,252 94	.0212	4,597 49	3,677.99	2,758 49
Weehawken, Twp, ...	3,659,286	015	54,889 29	.0194	70,990 15	56,792.12	42,594.09
	$30,888,628		$463,329 39		$812,529 53	$650,023.67	$487,517 75

Tax as now assessed on $30,888,628 at $15 per $1,000 of value,..... $463,329.39

Tax as proposed to be assessed on $30,888,628 at local rate,..... 812,529.53

Computed on equalization basis, 80 per cent.,..... $650,023.67

Computed on equalization basis, 60 per cent.,..... 487,517.75

SCHEDULE VII.

How personal property and franchise would be taxed under proposed plan.

PERSONAL PROPERTY.

Tax as now assessed on $25,201,118 at $5 per $1,000 of value, ...	$126,005 59

TAX AS PROPOSED TO BE ASSESSED.

On tangible personal property with situs $1,000, at local rates, ...	22,000 00
Tangible personal property without situs $24,201,118, at average local rate, $22 per $1,000 of value, ...	532,424 00
Total	$554,424 00
Computed on equalization basis, 80 per cent., ...	443,539 00
Computed on equalization basis, 60 per cent., ...	332,654 00

FRANCHISE TAX AS NOW ASSESSED

On $59,575,535, at $5 per $1,000 of value, ...	297,877 67

TAX AS PROPOSED TO BE ASSESSED.

On $99,406,481, at $5 per $1,000 of value, ...	497,032 40

(Continuity value of main stem deducted as above Schedule IV from main stem, added to franchise.)

SCHEDULE VIII.

Tax to be assessed under proposed plan compared with tax now assessed.

Tax now assessed 1903—	
Main stem, ...	$497,911 82
Second-closs property ($42,836,097), ...	642,541 45
Tangible personal property ($25,201,118), ...	126,005 59
Franchise ($59,575,535), ...	297,877 67
Total, ...	$1,564,336 53

Before equalization—	
Main stem ($58,749,419),	$1,205,197 95
Second-class railroad property ($42,836,097),	1,069,258 48
Tangible personal property with situs ($1,000,000),	22,000 00
Tangible personal property without situs ($24,201,118),	532,424 00
Franchise ($99,406,481),	497,032 40
Total,	$3,325,912 83

Tax on main stem, first class railroad property and tangible personal property computed on equalization basis, 60 per cent.

Main stem,	$723,118 69
Second-class railroad property,	641,555 07
Tangible personal property with situs,	13,200 00
Tangible personal property without situs,	319,454 40
Franchise,	497,032 40
Total,	$2,194,360 56

SCHEDULE IX.

Tax to be assessed under plan proposed by majority of commissioners, compared with tax now assessed.

Tax now assessed 1903—	
Main stem ($99,582,365),	$497,911 82
Second-class property ($42,836,097),	642,541 45
Tangible personal property ($25,201,118),	126,005 59
Franchise ($59,575,535),	297,877 67
Total,	$1,564,336 53

Tax on plan proposed by the majority of the commission. Before equalization.

Before equalization—	
Main stem ($99,582,365),	$497,911 82
Second-class property ($42,836,097),	1,069,258 45
Tangible personal property with situs ($1,000,000),	22,000 00
Tangible personal property without situs ($24,201,118),	121,005 00
Franchise ($59,575,535),	297,877 67
Total,	$2,008,052 94

Tax on second class railroad property and tangible personal property computed on the equalization basis, 60 per cent.

Main stem ($99,582,365),	$497,911 82
Second class,	641,555 07
Tangible personal property with situs,	13,200 00
Tangible personal property without situs,	72,603 00
Franchise,	297,877 67
Total,	$1,523,147 56

SCHEDULE X.

Assets of the Howard Savings Institution.

January 1, 1905. Abstract from the report of the Howard Savings Institution made to the Commissioner of Banking and Insurance and filed in that department in pursuance of law.

ASSETS.

	Par Values.		Market Values.
Cash,	$350,508 57	$350,508 57	$350,508 57
United States registered bonds,	800,000 00	.....	912,500 00
District of Columbia 3.65 bonds	150,000 00	950,000 00	178,500 00
Newark City bonds,	897,300 00	.....	919,817 00
Trenton City bonds,	5,000 00	.....	5,068 75
Passaic City bonds,	104,000 00	.....	105,670 00
Hoboken City bonds,	122,000 00	.....	126,880 00
Atlantic City bonds,	50,000 00	.....	51,000 00
Camden City bonds,	70,000 00	.....	74,900 00
Essex County bonds,	1,298,000 00	.....	1,386,455 00
Bergen County bonds,	142,000 00	.....	143,500 00
Passaic County bonds,	60,000 00	.....	62,100 00
Mercer County bonds,	25,000 00	.....	26,250 00
Camden County bonds,	50,000 00	.....	53,750 00
East Orange bonds,	211,434 94	.....	219,993 71
Kearny Township bonds,	19,000 00	.....	20,560 00
Belleville Township bonds,	60,000 00	.....	60,600 00
Montclair Township bonds,	9,000 00	.....	9,000 00
West Orange Town bonds,	50,000 00	.....	51,750 00
Bloomfield Town bonds,	90,000 00	.....	92,700 00
South Orange Village bonds,	15,000 00	.....	15,337 50
Allenhurst Borough bonds,	44,500 00	.....	46,947 50
Glen Ridge Borough bonds,	47,000 00	3,369,234 94	47,740 00
United New Jersey Railroad and Canal Company bonds,	2,426,000 00	.....	2,559,220 00
Easton and Amboy Railroad Company bonds,	153,000 00	.....	171,742 50

	Par Values.		Market Values.
Morris & Essex Railroad Company bonds, ...	2,460,000 00	.....	3,050,675 00
Warren Railroad Company bonds, ...	399,000 00	.....	406,980 00
North Hudson County Railroad Company bonds, ...	150,000 00	.....	165,750 00
Belvidere - Delaware Railroad Company bonds, ...	381,000 00	.....	385,470 00
New York and Long Branch Railroad Company bonds,...	300,000 00	.....	333,000 00
Camden & Atlantic Railroad Company bonds, ...	6,000 00	.....	6,765 00
Bonds and mortgages (first Central Railroad of New Jersey bonds, ...	100,000 00	.....	132,500 00
Delaware and Bound Brook Railroad Company bonds,...	101,000 00	.....	102,515 00
West Jersey and Seashore Railroad Company bonds,..	200,000 00	6,676,000 00	193,945 00
Interest accrued to date on foregoing bonds not included in market value, ...	124,100 40	124,100 40	124,100 40
liens on real estate at present appraised value of $11,793,-209), with accrued interest on same to date, ...	4,828,173 88	4,828,173 88	4,828,173 88
Real Estate, banking house, ..	416,215 00	.....	416,215 00
Real Estate, purchases under foreclosure, at present appraised value, ...	79,000 00	495,215 00	79,000 00
	$16,793,232 79	$16,793,232 79	$17,957,579 81

LIABILITIES.

Due Depositors, ...	$15,607,629 12	.....	$15,607,629 12
Surplus over all Liabilities on par value, ...	1,185,603 67	.....	.....
Surplus over all Liabilities on market values, ...	.....	.....	2,349,950 69
	$16,793,232 79	.....	$17,957,579 81

Accounts average $278.79.

SCHEDULE XI.

Assets of the Security Savings Bank.

Statement of the condition of the Security Savings Bank, 742 Broad street. Assets, $2,952,894.37. Surplus, $216,604.01.

January 1, 1904. Made to the Commissioner of Banking and Insurance, and filed in that department in pursuance of law:

ASSETS.

Cash,	$159,022 17
Belleville Township bonds,	50,500 00
West Orange (N. J.) bonds,	45,900 00
East Orange Township general bonds,	133,812 50
Elizabeth (N. J) adjustment bonds,	103,000 00
Franklin Township road improvement,	32,640 00
Harrison Township renewal street improvement	20,400 00
East Orange tide water sewer bonds,	22,550 00
Franklin Township school bonds,	28,560 00
East Newark Borough funding bonds,	57,120 00
East Orange Township school bonds,	19,190 00
Atlantic City, City Hall bonds,	36,050 00
Harrison Township road improvement bonds,	51,000 00
East Orange sewer bonds,	1,250 00
East Orange street improvement bonds,	205 19
Franklin Township sidewalk improvement bonds,	11,440 00
East Orange street improvement bonds,	2,409 61
Warren R. R. Co, first mortgage bonds,	65,205 00
Morris & Essex R R. first mortgage bonds,	330,000 00
Delaware & Bound Brook first mortgage bonds,	52,250 00
Central R R. of New Jersey,	178,200 00
Warren R R. Co. gen. consls.,	51,500 00
Morris & Essex R. R. bonds,	33,670 00
Newark City temporary loan,	240,000 00
Passaic (N. J.) temporary loan,	23,653 62
Interest accrued to date on foregoing bonds and not included in market value,	20,539 11
Bonds and mortgages, first lien on real estate appraised valuation, $2,804,400 00, with accrued interest,	1,160,956 00
Real estate purchased under foreclosure cost, $16,587.98; present appraised valuation,	17,000 00
Furniture and fixtures,	4,781 17
	$2,952,804 37

LIABILITIES.

Due depositors,	$2,736,200 36
Surplus,	216,604 01
	$2,952,804 37

SCHEDULE XII.

Assets of the Mutual Benefit Life Insurance Company. Furnished by B. J. Miller, Vice-President.

ASSETS, JANUARY 1, 1905

Cash on hand and in Banks,		$1,172,329 91
Loans on Collateral, U. S. Bonds and other securities,		1,957,450 00
United States and other Bonds, par,		22,994,401 33
First Bonds and Mortgages on Real Estate,		46,302,397 97
Real Estate,		3,109,690 97
Loans on Policies in Force,		13,494,901 42
Agents' Balances and Cash Obligations,		70,419 77
		$89,101,591 37
Interest due and accrued,	$1,621,010 63	
Net deferred and unreported premiums on Policies in force,	1,118,143 40	
		2,739,154 03
Total,		$91,840,745 40

SCHEDULE XIII.

Analysis of investments of the Prudential Insurance Company. Furnished by Edgar B. Ward, Vice-President.

ANALYSIS OF INVESTMENTS OF THE COMPANY.

Bonds and mortgages in New Jersey,	$4,351,715 82
Bonds and mortgages in other States,	11,330,642 91
Bonds of steam railroad companies incorporated by New Jersey,	835,940 00
Bonds of street railroad companies of New Jersey,	1,861,086 25
Bonds of other corporations of New Jersey,	5,274,900 00
Bonds of steam railroad companies of States other than New Jersey,	24,777,070 62
Bonds of street railroad companies of States other than New Jersey,	601,500 00
Bonds of other corporations of States other than New Jersey,	2,609,130 00
Municipal bonds of New Jersey,	1,809,816 00
Municipal bonds of States other than New Jersey,	53,350 00
Stock of Fidelity Trust Company,	2,400,000 00
Stock of Union National Bank,	1,800,400 00
	$57,705,551 60

This statement is dated January 1st, 1905, and the values are market values of that date.

Respectfully submitted,

CHANDLER W. RIKER.

REPORT OF CHARLES C. BLACK.

RECOMMENDATION.

First: Real estate in the main stems and second class property to be valued, as now, by the State Board of Assessors, the value of the main stems to be apportioned to the taxing districts, the entire value to be incorporated into the local ratables on which the tax rates are based, and taxed at the local tax rates for the benefit of the municipalities. An amendment to section three, subdivision one, and sections nine and eleven of the act of 1884, as amended in 1888, will accomplish this object.

Second: Contraverted questions of value to be decided by a central board, the same as other property in the State.

Third: Tangible personal property to be valued, as now, by the State Board of Assessors, but taxed at the average tax rate of the State, for the use of the State. An amendment to sections nine and eleven will accomplish this object.

Fourth: The value and the amount of tangible personal property, by proper schedules, and the value of the franchise separate from the main stem to be published by the State Board of Assessors in the annual report.

To Hon. Edward C. Stokes, Governor of New Jersey, and to the Legislature of New Jersey:

TAX RATES IN THE ACT OF 1884 A COMPROMISE—CHANGED CONDITIONS DEMAND A CHANGE IN THE LAW.

I approach a consideration of the problems submitted to the Tax Commission for solution from the viewpoint that the act of 1884, under which the property of the steam railroads and canals is taxed, when passed, was beneficial to the State and advantageous to the companies; that this property is valued by a central board, with the means therein provided for the listing of the property and the efficient methods for the collection of the tax when levied, have always seemed to me to be founded on

sound economic principles. That the act as finally passed was in some of the provisions a compromise and in some a necessity from the *then* revenues of the State, every one conversant with the history of the State at that time knows. The compromise was in the arbitrary and fixed tax rates therein provided for taxing the tangible personal property and real estate. The necessity was in the State taking for its use the tax on the land values or real estate which in any sound system of taxation is *now* conceded to belong to the municipalities. At that time the administration of the municipal tax laws, the confused condition of these laws, the business of the railroad companies and their claim of irrepealable contracts, so called, probably justified the compromise. The condition of the State's revenues, as compared with the municipalities, justified the State in appropriating to itself a source of revenue that properly belonged to the municipalities, if any reason for such justifiation was needed. The relative conditions of these three interests—state, railroads and municipalities—have each undergone radical changes in twenty years, from 1884 to 1904. The revenues of the State have increased from $1,066,953 in 1884 to $4,386,918.82 in 1904. At the close of the fiscal year on October 31st, 1904, there was a balance in the treasury of the State of $2,940,918.98. In 1884 the State had a debt of $1,591,300. The State now has a debt of $116,000 of outstanding certificates, held by the Sinking Fund of the State, on which the State pays five per cent. interest. (P. L. 1895, p. 804.) The railroads have become parts of important interstate highways, over which the commerce of the nation passes. The par value of the capital stock and funded debt is $352,828,798, the market value of which is, in round figures, $370,000,000, They are among the most prosperous and successful enterprises in the State. Their gross earnings have increased from $30,919,622 in 1884 to $62,731,124.02 in 1903. Their stocks and bonds, next to Government securities, are recognized in the markets of the world as among those having the most solid values. The municipalities and counties, on the other hand, owing partly to a large increase of population in some of them, partly to a decline in agricultural pursuits in others, partly to the demands of a

more expensive, exacting and better municipal government in all or most of them, are finding much difficulty in meeting the legitimate municipal expenses, with the result that the bonded and floating debt of the counties and municipalities is about or in excess of $85,923,500. The average tax rate in the State in 1884 was $17.60 on the $1,000 of valuation; in 1903 it was $22. Some of the municipalities show signs of stagnation, and in many of them the lands are bearing a prohibitive burden, by way of taxation, to their continued prosperity.

READJUSTMENT OF THE ACT OF 1884—REVENUES FROM REAL ESTATE TO BE APPLIED TO LOCAL TAXING DISTRICTS—THE TWO SYSTEMS CO-ORDINATED.

Wherein lies the remedy? Surely not in any academic discussion of a general property tax. The literature is rich on this subject, covering every conceivable point. One practical concrete remedy is the readjustment of the act of 1884, so that the property of like characteristics in the two systems, *i. e.,* under the acts of 1884 and 1903, in each taxing district, shall be measured by the same standards of value and the same tax rates. The tax paid on the property under the act of 1884, in each taxing district, may be equal to the tax paid under the act of 1903 upon like property in the same taxing district. The revenues derived therefrom as between the State and the municipalities readjusted, each receiving that which properly belongs to each. The two systems co-ordinated, so that, in each system, there will be like remedies for reaching a just result. No thoughtful person desires the railroad and canal property to pay more tax than other property of like character and the same value, but the insistment is that it shall pay the same, and that fact may be ascertained by a legal tribunal to determine contraverted questions of fact as to the standard of valuation, the same as is now provided, for one and the same legal tribunal to determine contraverted questions of law, applied alike to all property throughout the State. This is equality before the law. This is the essential, the vital principle

on which the fabric of our government is reared. To deny this proposition is to challenge the vitality of the Constitution as applied to taxation. Because the State contributes from its treasury the sum of $970,000 to the local taxing districts to be applied to the school tax cannot be a valid reason, either in good morals or justice, why the land values of the railroads in the main stems should not be subjected to the same tax rates as the land values of other owners.

ELEMENTS OF TAXABLE VALUE IN A RAILROAD AND CANAL COMPANY.

A statement of a series of facts will put into strong relief and illustrate the truth and justice sought to be shown by the conclusions herein reached.

In a steam railroad or canal company the following elements of taxable value are found:

First: Shares of stock, bonds and certificates of indebtedness, in the hands of the corporation, individual shareholders, bondholders or creditors, by the express terms of the statute, are not taxable.

Second: Franchise, taxed at $5.00 on the $1,000 of valuation, for State purposes.

Third: Tangible personal property, taxed at $5.00 on the $1,000 of valuation, for State purposes.

Fourth: Real estate, and by the statute of 1884, under which these companies are taxed, this latter class is divided into "main stems," which are the road-beds not exceeding one hundred feet in width, with the rails and sleepers, depot buildings used for passengers, connected therewith, and "waterways," which include the towing path and berme banks, this is called first class property, taxed at $5.00 on the $1,000 of valuation, for State purposes. And other real estate used for railroad or canal purposes in each taxing district, this is called second class property, taxed not more than $15.00 on the $1,000 of valuation, for local or municipal purposes.

COMPARISON OF ELEMENTS OF TAXABLE VALUE UNDER ACTS OF 1884-1903—STOCKS AND BONDS.

These elements of taxable value, if any intelligent and trustworthy conclusion is to be reached, should be considered separately and compared with like elements of taxable value, each with the other, in the other system of taxation under the act of 1903.

First, then, as to the shares of stocks, bonds and certificates of indebtedness, returned by the State Board of Assessors for the year 1903, at a par value of $352,828,798.00 are not taxed by the express terms of the statute, in the hands of the shareholders, bondholders or creditors. This is the precise status, in reference to taxation, of other stocks and bonds in New Jersey corporations, and for precisely the same reason, viz., that the property which they purport to represent has been once taxed, to again tax these evidences of property or certificates, which represent that property, is double taxation. In the last analysis, and, speaking generally; the same is true as to all that which is called intangible personal property, such as stocks or bonds, whether secured by property in New Jersey or elsewhere. I see no reason why there should be any change in the law in reference to this element of taxable value.

FRANCHISES.

Second, as to the franchises. There is some confusion of thought and expression in reference to the taxation of corporate franchises. There are two kinds—the first is, the right to exist in corporate form, without reference to the powers that under such form the corporation may exercise, such as miscellaneous corporations taxed by way of license fees; the second, the franchises that are taxed as property is the privilege enjoyed by the corporation exercising certain powers derived from the State, such as the right to take land by condemnation, to charge tolls and the like, under the railroad and canal franchises. Adding the value of the franchise to the value of the land in the main stem

of the railroads, for the purpose of comparing the amount of tax paid thereon, with the tax paid by individual landowners, is misleading, because private landowners have no such element of value. In 1884 the State Board of Assessors reported the value of the franchises separate from the other main stems at $50,201,388.54; in 1885 at $50,247,433.00. Since that time there has been no separate valuations stated in the reports. This in the future should be done. A separate valuation, in fact, and the value separately stated from the real estate of the main stems. The method for valuing the franchises adopted by the first State Board of Assessors was, in brief, to ascertain the amount and value of the capital stock, the funded and other debts, and from this value deduct the value of the entire amount of tangible property; sixty per centum of the amount so found was declared to be the value of the franchise. This result was approved by the Supreme Court in *20 Vr. 7.* It also has the sanction of the United States Supreme Court in *92 U. S. 602.*

The State of Massachusetts adopts the same method expressed in the statute, not only of the railroad, but other franchises. *Revised Laws of Massachusetts, 1902, p. 267, et seq., sec. 38, et seq.* This is but one method of several for determining the value for taxation of the franchises. This question is fully considered in the first report of the State Board of Assessors, at pages 25 to 35. That these franchises are valuable, and are growing more so from year to year, is shown by the increased earnings of the companies from 1884 to 1903. Whether or not they should be taxed at a higher rate than five dollars on the thousand dollars of valuation is to be determined, as it seems to me, exclusively from the standpoint of a State policy and the needs of the State government. There is no relation between the tax rates in the local taxing districts and that to be applied to the franchises. These franchises are created by and emanate from the State. They represent the adventicious value of the roads. The tax should be devoted to the use of the State as a proper source of State revenue. At the present time it is not clear that the rate should be changed. The needs and necessities of the State, and the business done by the companies may and will in the future justify an increase in the

tax rates applied to the franchises—a periodical readjustment. The same is true of franchises of corporations using the public streets and highways, taxed at two per cent. of the gross receipts for the benefit of the municipalities.

TANGIBLE PERSONAL PROPERTY—TAXED AT AVERAGE TAX RATE OF THE STATE FOR STATE PURPOSES.

Third, as to the tangible personal property, returned by the State Board of Assessors for the year 1903, at $25,201,118. The State Board of Assessors, in their report, returns this property at a lump sum. There is no way of ascertaining, in detail, what this property consists of, or whether it is assessed at true value. Detailed information, classified by proper schedules, should be published in the annual reports of the State Board of Assessors, specifying, first, the value of such tangible personal property of each railroad and canal company in this State used in interstate commerce; second, the value of such property used in this State in one or more taxing districts; third, the value of such property used permanently in any single taxing district. An amendment to section seventeen, sub-division two, will accomplish this result. Much of it is used in interstate commerce, and much of it has no situs in any particular taxing district. By reason of its use and its constant mobility, it is peculiarly appropriate to be taxed by a State Board, and the proceeds to be devoted to the revenues of the State, except that which is permanently used in a single taxing district, but there is no reason why this property should not be taxed, as far as practical, at the same tax rate as other property of like characteristics, namely, at the average tax rate of the State, which is $22.00 upon the thousand dollars of valuation. Allowing for a reduction in tax rate caused by increased ratables, if this property should be taxed at an average tax rate of $20.00 on the thousand dollars of valuation, the proceeds to be devoted as now, to the expenses of the State, would increase the revenue of the State on the basis of the present valuation, from $126,005.59 to $504,022.36, an increase of

$378,016.77. This can be accomplished by an amendment to the act of 1884, of sections nine and eleven, as revised and amended in 1888.

REAL ESTATE—MAIN STEM AND SECOND CLASS—TAXED AT LOCAL RATES FOR THE LOCALITIES—BOARD OF REVIEW.

Fourth, as to the real estate, both main stem and second class, should be valued as now, by the State Board of Assessors; the main stem, i. e., lands and improvements, when it runs through one or more taxing districts, should be apportioned or subdivided in value, as to the taxing districts where located, the apportioned value should be certified to the collector of each taxing district, on or before the first Tuesday in August annually, and to the Comptroller of the State; the collector should then forthwith certify the same to the assessor or assessors of each taxing district, the same to be incorporated into the ratables of the local taxing districts from which the tax rate is to be ascertained, the tax rate in each taxing district, then certified to the State Board of Assessors, and the value of the real estate in each taxing district taxed at local rates for the localities; this would require a new section. The Comptroller should draw his warrant upon the State treasury to pay the amount.

This treats all the real estate used for railroad and canal purposes as a class, thus making *use* of the link which binds them together for the purpose of taxation, which is in harmony with the decision of the Court of Errors and Appeals in the case of *State Board of Assessors* v. *Central Railroad Co., 19 Vr. 146.* This also meets the criticism of Chief Justice Beasley in the case of *Central Railroad Co.* v. *State Board of Assessors, 20 Vr. 16,* when he said: "The direction of the act was to tear asunder objects which are inseparable both from their nature and use, and that a dissimilar tax should be put upon such disjoined fragments."

It also meets and overcomes the injustice and unfairness growing out of several main stems, in the same taxing district, of one and the same railroad, when, in point of fact, for taxation there is, or should be, but one main stem. The Harsimus branch

of the United Railroad and Canal Company in Jersey City is an apt illustration. This is treated as a main stem in law.

It will overcome the absurdities involved in the application of the present definition of a main stem, whereby one hundred feet of land in a train shed and the shed itself are considered main stem, and the balance of the land under the shed second class property; so with the embankments outside of the one hundred feet wide and the semaphores. They are now taxed at different rates for different purposes; they should be taxed at the same rate, for the benefit of the municipalities.

This change in the law will also overcome the injustice and irritation caused by the continual absorption by the railroad companies of more land, made necessary by their increased business, particularly in the cities at terminal points, whereby such lands are taken out of the list of local ratables and placed for taxation under the act of 1884. In the city of Newark, from 1901 to 1904, $316,300 assessed value of land has been so taken from the local ratables.

It will also overcome the injustice in the amount of tax paid, as between the railroads themselves, under the present law, if the company owns in value much main stem and little second class real estate, that company pays less tax than one whose ownership in amount of real estate is the reverse.

There is and can be no practical difficulty about this method. The method pursued, as shown by the testimony in the first litigated cases, was to divide the lands of the railroads and canals into plots and sections, from which the State Board determined first the value of the plots and sections, then the value of the railroads as a whole. Any other method would be impractical. It is so done in many of the States of the Union where the railroads are taxed by a central board. It, of necessity, is done so where they are taxed by the local assessors, as in New York. In point of fact it was so done by the first State Board of Assessors as to the United New Jersey Railroad and Company, the Morris and Essex Railroad Company and the Central Railroad of New Jersey; the value of the main stem was apportioned, in each taxing district of the State through which these companies ran, and it was so reported in the first report of that board, at page 456. The

value of each main stem is ascertained by valuing the land and improvements in each taxing district, and, this having been done, the imposition of the local rate will be but the performance of a simple sum in multiplication. The assessment and apportionment of 18.617 miles of the West Shore Railroad Company and the separate assessment therefrom of the terminal yard at Weehawken are apt illustrations of this method. See report State Board of Assessors, 1901, pp. 906, 913. The act of 1884, p. 148, sec. 12, as originally passed, provided for the apportionment of the value of the franchise.

The following table will show the number of miles of main stem in each county, marked "A"; the approximate value of the main stem apportioned to each county, exclusive of franchises, marked "B"; the number of acres of land of main stem in each county, marked "C"; the value of the second-class property, marked "D":

COUNTIES	A	B	C	D
	Miles of main stem.	Apportioned value main stem R. R. real estate except franchises.	Number of acres in main stems.	Valuation of second class railroad property
Atlantic,	157	$2,333,814 00	1,532.68	$245,568 00
Bergen,	102	4,582,400 00	953.59	663,999 00
Burlington,	125	2,521,370 00	1,002.90	139,914 00
Camden,	116	2,018,617 00	854.06	1,149,585 00
Cape May,	102	687,900 00	784.34	77,784 00
Cumberland,	85	658,748 00	626 44	201,661 00
Essex,	87	7,106,000 00	841.37	994,342 00
Gloucester,	80	814,500 00	634.89	72,508 00
Hudson,	110	21,923,000 00	1,142.23	30,219,027 00
Hunterdon,	129	5,307,235 00	1,381.67	433,822 00
Mercer,	125	5,666,764 00	1,206.98	667,946 00
Middlesex,	181	5,700,000 00	1,919 12	2,592,091 00
Monmouth,	130	4,034,000 00	1,433 44	431,214 00
Morris,	214	5,500,000 00	2,056.65	420,753 00
Ocean,	135	1,200,000 00	1,322 78	117,625 00
Passaic,	88	3,389,000 00	865.08	382,820 00
Salem,	45	316,000 00	356.93	31,551 00
Somerset,	102	4,664,000 00	1,136 60	152,715 00
Sussex,	131	2,100,000 00	1,201.19	115,305 00
Union,	74	6,142,000 00	858 02	1,404,122 00
Warren,	156	8,175,000 00	1,469.55	605,864 00
Total,	...	$94,840,348 00	23,580.51	$41,120,216 00

"B" and "D" were prepared for use for the Commission of 1896; an average of 3 per cent. should be added to bring it down to 1904, except in the counties of Camden, Essex, Hudson and Middlesex, where a greater percentage should be added, owing to the improvements made at Camden, Jersey City, New Brunswick and Newark since 1896.

This table will show at a glance the real problem to be solved by the Commission and the Legislature, in its concrete application to the taxing districts. It is, first, one of distribution between the State and the municipalities, the returning to the municipalities a source of revenue on their land values, which in any sound system of taxation is now conceded to the municipalities, and, second, one of equal tax rates and equal valuations, based upon the necessities of the municipalities, equality between the property of the railroad and canal companies and the property of individuals and other corporations.

The schedules filed with the commission further show that there are of main stem, in the cities, the following acreage: Atlantic City, 88.16; Camden City, 91.21; Trenton, 182.28; New Brunswick, 50.91; Elizabeth, 183.75; Newark, 476.23; Jersey City, 539.05; Paterson, 116.52; Phillipsburg, 106.21; Bayonne, 131.10; South Amboy, 102.56; and upon this acreage to those cities there has never been paid, since the property was acquired for railroad purposes, a single dollar of county or city taxes. It pays at the rate of $5.00 per $1,000 to the State.

If the essence of the Constitution means anything, it means that where there is common burden there shall be a common contribution to bear it; equal valuations and equal rates. If $143,000,000 of land values are to be forever withdrawn from the local communities, either in part or whole, and taxed at a limited or special tax rate, based simply upon the use to which the land is devoted, can any valid reason be given why the farm lands or the factories, or the homes, should not be taxed at a special or limited tax rate? That, it would seem, must be the final test of this question on principle.

Thus treated as a class, the language of Mr. Justice Dixon, in the case of *State Board of Assessors* v. *Central Railroad Company, 19, Vr. 317,* is suggestive: "If the act had directed the

assessors to ascertain the true value of all the real property used for railroad or canal purposes in each taxing district, and had authorized taxes to be levied thereon for local uses by uniform rules, according to that value, the difficulties here stated would have been avoided. The property designated would have composed a class, and its true value could have been determined with reference to the value of the system to which it pertains."

There is no practical or legal difficulty in amending the act of 1884, as revised and amended in 1888, section three, subdivision one, sections nine and eleven, so as to accomplish such result.

PROPOSED AMENDMENTS TO ACT OF 1884 AS REVISED IN 1888.

The following amendments should be made to the act of 1884, as revised in 1888:

Section three, subdivision one; section nine, section eleven; section seventeen, subdivision two.

Three new sections, as follows: One, requiring the report of the State Board of Assessors to show by appropriate schedules, and in detail, the amount and value of the tangible personal property and the value of the franchises of each railroad and canal company separate from the other property; two, requiring the State Board of Assessors to certify to the collectors, on or before the first Tuesday in August of each year, the value of the real estate in each taxing district; three, giving any person, corporation or municipality aggrieved by the valuations of the real estate, the right to an appeal to a central board. If the act of 1884, as revised in 1888, is amended in these particulars, it will eradicate the most glaring inequality that now exists in our system of taxation, namely, the inequality in the law. It should and probably will produce a better equalization in the administration of the law in both systems.

These proposed amendments are in harmony with the decision of the Court of Errors and Appeals in the case of *State Board of Asssesors* v. *Central Railroad Co. of New Jersey, 19 Vr. 146,* and of the Supreme Court, in the case of *Central Railroad Co.*

v. *State Board of Assessors, 20 Vr. 1.* And if the State should, at any time, need any of the revenue distributed to the local taxing districts, by these amendments, the Legislature has the constitutional power to retain as much as may be required and divert it to State purposes.

LIKE PROPERTY EQUALLY TAXED ACCORDING TO ITS VALUE.

The position taken by the railroad companies before the commission was, in effect, that notwithstanding the low tax rates applied to the property of the railroad companies, they are, in point of fact, paying as much as, and more tax, on their property, than a like amount of property, according to its value, under the act of 1903; their claim is that the valuations are higher in the one system, which counterbalances the higher tax rate in the other.

Without attempting to form a definite conclusion upon this question, because it is impossible to draw any conclusion, except in the most general way, that has any evidential value whatever, an examination of the schedules presented to the commission will justify this statement, also the conclusion of the Tax Commission of 1896, page 39.

But there are some facts which mitigate against this position of the railroad companies. First, there is the conclusion of the first State Board of Assessors, by a comparison of the tax levied against the property of the United New Jersey Railroad and Canal Company, the Central Railroad Company of New Jersey and the Morris and Essex Railroad Company, in 1884, at page 43: "The board is confident that, making the most liberal allowances for these two considerations, the tax of the railroad corporations on their corporate property, at the same percentage of valuation, and at the same rate of tax as levied on other property in the taxing districts, would still be considerably more than the total tax assessed against them by this board, including the franchise." Added to that conclusion is the fact that the average tax rate of the State has increased from $17.60 in 1884, to

$22.00 on the $1,000 in 1903. And, also, that there was evidence produced before the commission which showed that the property of the railroads, at least in Elizabeth, Jersey City and Hoboken, was not, in point of fact, assessed at the standard of true value, and was not assessed at any higher rate than the average percentage of valuation assessed against the property of individual owners in those taxing districts, by the local assessors. This doubtless is true in some other taxing districts.

But all this seems like a tale that is told, and is immaterial from the view-point that I have taken of this question. It is immaterial whether the railroad property pays more or less; if it pays more, it should be treated by appropriate legal machinery, so that it should pay the same; if it pays less, the same rule should be applied, requiring it to pay the same. The next most important step in equal taxation is to remove the glaring inequality that now exists in the law, to co-ordinate these two systems, and to readjust the revenues between the State and the municipalities, and then concentrate public opinion upon the administration of the two systems, so that they may work side by side for the purpose of producing equal taxation in fact throughout the State and in each taxing district.

Respectfully submitted,

CHAS. C. BLACK.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 4, entitled "An act concerning the construction of dams,"

Assembly Bill No. 32, entitled "An act respecting sewers and sewer connections in incorporated towns of this state,"

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Assembly Bill No. 44, entitled "An act to enable incorporated towns in this state to construct or purchase suitable plants, works

and machinery for supplying electric lights for public and private use and for the maintenance and operation thereof,"

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Assembly Bill No. 69, entitled "A supplement to an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act relative to oaths and affidavits (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twelfth, one thousand eight hundred and eighty,' " and which amendment was approved March twenty-third, one thousand nine hundred,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,' " approved April third, one thousand nine hundred and two,

Correctly printed.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,' " approved April first, eighteen hundred and eighty-seven,

Favorably, with the following amendments:

Amend Assembly Bill No. 94, by striking out the bracket before the word "The," in line eleven, and by striking out bracket after word "appropriated," in line fourteen of section one.

Which were adopted.

Mr. Duffield, Chairman of the Special Committee on Bond of State Treasurer, made the following report:

February 8th, 1905.

Your committee to which was referred the bond of State Treasurer Frank O. Briggs respectfully approve the same, and recommend the concurrence of the House in the resolution of approval passed by the Senate.

(Signed) EDWARD D. DUFFIELD,
B. D. SHEDAKER,
B. FRANK BUCK.

The Speaker then put the question, "Shall the above report be received and the bond approved?" which was agreed to.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 8th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 3, entitled "An act appropriating the sum of five hundred dollars towards the erection of a monument to commemorate the battle of Monocacy, Maryland, fought July ninth, one thousand eight hundred and sixty-four,"

Senate Bill No. 6, entitled "An act to repeal an act entitled 'An act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the palisades of the Hudson, and for the purpose herein specified,'" approved March fifth, one thousand eight hundred and ninety-six,

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Senate Bill No. 17, entitled "An act to amend an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Senate Bill No. 19, entitled "An act to repeal an act entitled 'An act for the licensing and taxation of foreign corporations,'" approved March twenty-ninth, one thousand nine hundred and four,

Senate Bill No. 20, entitled "A supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,'" approved April sixteenth, eighteen hundred and forty-six,

Senate Bill No. 23, entitled "A supplement to an act entitled 'An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,'" approved March twenty-sixth, one thousand nine hundred and two,

Senate Bill No. 24, entitled "An act to repeal an act entitled 'An act concerning official fees and rendering an account thereof,'" approved March fourteenth, one thousand eight hundred and seventy-nine, and to release penalties incurred thereunder,

And

Senate Bill No. 41, entitled "An act to incorporate Port Republic as a city and fix the boundaries thereof,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate."

The Senate message was then taken up and

Senate Bill No. 3, entitled "An act appropriating the sum of five hundred dollars towards the erection of a monument to commemorate the battle of Monocacy, Maryland, fought July ninth, one thousand eight hundred and sixty-four,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

Senate Bill No. 6, entitled "An act to repeal an act entitled 'An act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the palisades of the Hudson, and for the purpose herein specified,'" approved March fifth, one thousand eight hundred and ninety-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 17, entitled "An act to amend an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 19, entitled "An act to repeal an act entitled 'An act for the licensing and taxation of foreign corporations,'" approved March twenty-ninth, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 20, entitled "A supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,'" approved April sixteenth, eighteen hundred and forty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 23, entitled "A supplement to an act entitled 'An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,'" approved March twenty-sixth, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 24, entitled "An act to repeal an act entitled 'An act concerning official fees and rendering an account thereof,'" approved March fourteenth, one thousand eight hundred and seventy-nine, and to release penalties incurred thereunder,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

And

Senate Bill No. 41, entitled "An act to incorporate Port Republic as a city and fix the boundaries thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Martin, on leave, introduced

Assembly Bill No. 125, entitled "An act to enable townships in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use, and for the maintenance and operation thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

On motion of Mr. Reed,

Assembly Bill No. 25, entitled "A further supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Lange, Layden, Mabie, Marelli, Martin, Miller, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—37.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Elvins, for the Speaker,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gibbs,

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Henry G. C., Hildreth, Hoagland, Hulse,

Jones, Lange, Layden, Mabie, Marelli, Martin, Miller, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright —36.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 8th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following:

Senate Joint Resolution No. 2, entitled "Joint resolution relating to the boundary controversy between the states of New Jersey and Delaware,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up, and

On motion of Mr. Duffield, the rules were suspended and

Senate Joint Resolution No. 2, entitled "Joint resolution relating to the boundary controversy between the states of New Jersey and Delaware,"

Was advanced to second reading, without reference.

On motion of Mr. Duffield,

Senate Joint Resolution No. 2, entitled "Joint resolution relating to the boundary controversy between the states of New Jersey and Delaware,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Senate Joint Resolution No. 2, entitled "Joint resolution relating to the boundary controversy between the states of New Jersey and Delaware,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Lange, Layden, Mabie, Marelli, Martin, Miller, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—37.

In the negative—None.

Ordered, that the Speaker sign the said Senate Joint Resolution, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same.

On motion of Mr. Elvins, for the Speaker,

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Lange, Layden, Mabie, Marelli, Martin, Miller, Murphy, Pearce, Pennington, Reed, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—36.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet on Saturday morning, at 10 oclock, and that when it then adjourn it be to meet on Tuesday morning next, at 10:30 o'clock.

On motion of Mr. Duffield, the House then adjourned.

SATURDAY, February 11th, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. Hulse, Speaker *pro tem.,* in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Tuesday morning, at 10:30 o'clock.

TUESDAY, February 14th, 1905.

House met at 10:30 o'clock A.M.

The Clerk informed the House that he had received a communication from Speaker Avis, informing him that he would be unable to be present until 12 o'clock noon.

Mr. Duffield nominated as Speaker *pro tem.*, Henry S. Scovel, of Camden county, which nomination was seconded by Mr. Hamill.

Mr. Scovel was unanimously elected Speaker *pro tem.*

Prayer was offered by Rev. Robert Hastings Nichols, of South Orange, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Willever, Wilson, Wright—49.

Absent—

Messrs. Avis (Speaker), Boucher, Ernst, Hildreth, Layden, Loveridge, Manners, Van Derveer, Wildrick—9.

The minutes of the last meeting were read and approved.

Mr. Coyne, of Union county, presented the certificate of election of Randolph Perkins, who was elected a member of the General Assembly to fill the vacancy caused by the death of George H. Embree.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the Honorable William Pennington, of Essex county, who is a Master in Chancery of this State, administer the oath of office to the Honorable Randolph Perkins, of Union county, a member-elect of this House.

The oath of office was administered by Mr. Pennington to Mr. Randolph Perkins, who then signed the oath.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Assembly Bill No. 70, entitled "A supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

And

Committee substitute for

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, eighteen hundred and ninety-eight,

Correctly printed.

Mr. Miller, Chairman of the Committee on Soldiers' Home, reported

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Favorably, without amendment.

And

Committee Substitute for

Assembly Bill No. 97, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,'" approved April fourth, one thousand eight hundred and eighty-six,

And

Committee Substitute for

Assembly Bill No. 98, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,' " approved April twentieth, one thousand eight hundred and ninety-eight,

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 126, entitled "A Supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The same gentleman, on leave, introduced

Assembly Bill No. 127, entitled "An act concerning the publication of ordinances,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 128, entitled "An act to establish an excise department in cities of the second class in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hulse, on leave, introduced

Assembly Bill No. 129, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same,' approved June thirteenth, one thousand eight hundred and ninety-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Elvins (for the Speaker), on leave, introduced

Assembly Bill No. 130, entitled "An act to authorize the erection of a monument on the battlefield of Red Bank, in the county of Gloucester, and to appropriate money to pay the cost thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations

Mr. Duffield, on leave, introduced

Assembly Bill No. 131, entitled "An act relating to county detectives in counties of the first class,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Mabie, on leave, introduced

Assembly Bill No. 132, entitled "An act to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' approved April first, nineteen hundred and three, and the supplements and amendments thereto,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Taylor, on leave, introduced

Assembly Bill No. 133, entitled "An act in relation to the acknowledgement by married women of deeds and other written instruments,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hamill, on leave, introduced

Assembly Bill No. 134, entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Riordan, on leave, introduced

Assembly Bill No. 135, entitled "An act relating to the office of register of deeds in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 136, entitled "An act relating to the office of county clerk in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 137, entitled "An act relating to the office of county surrogate in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 8th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 10, entitled "An act for extending the time for completing certain railroads,"

Senate Bill No. 34, entitled "An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Duffield,

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry, G. C., Hulse, Hunt, Jones, Kaiser, Lehlbach, Mabie,

Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Willever, Wilson, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said Committee Substitute, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mills,

Assembly Bill No. 69, entitled "A supplement to an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act relative to oaths and affidavits (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twelfth, one thousand eight hundred and eighty,' " and which amendment was approved March twenty-third, one thousand nine hundred,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Kaiser, Lehlbach, Mabie, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Willever, Wilson, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield moved that further consideration of the concurrent resolution, introduced by Mr. Colby on Monday, February 6th, relative to granting perpetual and unlimited franchises to public utility corporations, be postponed until 3 o'clock this afternoon.

Motion was carried.

Mr. Duffield offered the following resolution, which was read and adopted:

WHEREAS, The hour of twelve o'clock noon having arrived, the time fixed for the joint meeting of both Houses of the Legislature;

Resolved, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber.

The Clerk thereupon informed the Senate that the House awaited its presence in the Assembly Chamber.

The Clerk read the following announcement:

There will be a meeting of the Committee on Municipal Corporations immediately after adjournment.

HENRY S. SCOVEL,
Chairman.

On motion of Mr. Duffield, the House then took a recess, at 11:55 o'clock A.M., until after the Joint Meeting.

The Sergeant-at-Arms announced that the Senate was at the door of the Assembly Chamber.

The Speaker *pro tem.* thereupon directed that the President of the Senate and the Senators be conducted to the seats provided for them.

The House then went into joint session with the Senate.

After the joint session,

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Willever, Wilson, Wright—52.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

Absent—

Messrs. Ernst, Layden, Murphy—3.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

Assembly Bill No. 61, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 39, entitled "An act to authorize cities in this state to insure their buildings,"

Assembly Bill No. 59, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of police justices in cities of the first class," passed May eighteenth, one thousand eight hundred and ninety-four,'" which supplement was approved March seventh, eighteen hundred and ninety-five,

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Assembly Bill No. 53, entitled "An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,"

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,' " approved May ninth, one thousand eight hundred and eighty-nine,

Favorably, without amendment.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Favorably, without amendment.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Assembly Bill No. 19, entitled "Supplement to an act entitled 'An act respecting bridges,' " approved April tenth, one thousand eight hundred and forty-six,

Favorably, without amendment.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 138, entitled "An act to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 139, entitled "An act to authorize and regulate corporations for the supply of water in places other than cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 140, entitled "An act to repeal 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state

with water,'" approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Barber, on leave, introduced

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 142, entitled "An act concerning the lien of unpaid taxes on lands, tenements, hereditaments or real estate assessed since the first day of January, in the year one thousand eight hundred and ninety-eight, or to be hereafter assessed,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hildreth, on leave, introduced

Assembly Bill No. 143, entitled "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this state to use or cause to be used, make known or cause to be made known or in any way divulge the contents of any telegraph or telephone dispatch, and prescribing the punishment therefor,"

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 144, entitled "A supplement to an act entitled 'An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery, and counsellors-at-law,'" approved March twenty-eighth, one thousand nine hundred and four,

Which were read for the first time by their titles, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Scovel (by request), on leave, introduced

Assembly Bill No. 145, entitled "A supplement to an act entitled 'An act determining what newspapers shall be qualified to publish legal notices and proceedings,'" approved June thirteenth, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Pearce, on leave, introduced

Assembly Bill No. 146, entitled "Supplement to an act entitled 'An act for the formation and government of villages,'" (Revision), approved February twenty-third, one thousand eight hundred and ninety-one,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Colby called for the concurrent resolution relative to granting perpetual and unlimited franchises to public utility corporations, which was made the special order of the day.

Mr. Duffield offered the following amendments to the above concurrent resolution, which were read by the Clerk:

Amend by inserting word "is" before "vital" in line eight, preamble.

Strike out words "as it is" in same line, and words "should receive the most careful consideration of the peoples' representatives in legislative session assembled."

Strike out in section one, the words, "pending possible legislation and the final, fair and equitable adjustment of all interests involved."

Add after word "corporation," in line four, of section one, the following: "by municipalities of this state, without proper restrictions and adequate compensation and safeguard; regard being had to both present and future conditions."

Mr. Duffield moved the adoption of the above amendments.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Dalrymple, De Cou, Duffield, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hulse, Hunt, Jones, Kaiser,

Lehlbach, Mabie, Martin, Miller, Mills, Pearce, Pennington, Perkins, Robbins, Scott, Scovel Shedaker, Taylor, Tillman, Wilson—33.

In the negative were—

Messrs. Alexander, Boucher, Callery, Coyne, Fordyce, Hamill, Henry F. C., Hoagland, Johnstone, Lange, Loveridge, Manners, Marelli, Riordan, Shaw, Van Derveer, Wildrick, Willever, Wright—19.

The Speaker thereupon declared the amendments adopted.

Mr. Duffield then moved that the concurrent resolution, as amended, be adopted, which motion was carried.

Mr. Hunt (for the Speaker), on leave, introduced

Assembly Bill No. 147, entitled "An act to provide for short courses in practical and scientific agriculture in the state agricultural college,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 107, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish standard packages for cranberries,'" approved March twenty-third, one thousand eight hundred and eighty," which supplement was approved April fourteenth, one thousand nine hundred and three,

With the following amendments:

Insert in the title, after the word "eighty," the word "eight."

Insert in section one, line three, after the word "eighty," the word "eight."

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 14th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Senate Bill No. 42, entitled "An act to consolidate with and annex to the city of Newark, in the county of Essex, the territory embraced within the bounds of the town of Bloomfield, in the county of Essex; provided, a majority of the votes cast in the said town upon the question of such annexation and consolidation shall be in favor thereof, and the mayor and common council of said city shall consent thereto,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 10, entitled "An act for extending the time for completing certain railroads,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

Senate Bill No. 34, entitled "An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

And

Senate Bill No. 42, entitled "An act to consolidate with and annex to the city of Newark, in the county of Essex, the territory embraced within the bounds of the town of Bloomfield, in the county of Essex; provided, a majority of the votes cast in the said town upon the question of such annexation and consolidation shall be in favor thereof, and the mayor and common council of said city shall consent thereto,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

On motion of Mr. Mabie,

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of

this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 61, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 39, entitled "An act to authorize cities in this state to insure their buildings,"

Were taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 59, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of police justices in cities of the first class," passed May eighteenth, one thousand eight hundred and ninety-four,'" which supplement was approved March seventh, eighteen hundred and ninety-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Birkholz,

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 53, entitled "An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scott,

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Was taken up and read a second time.

Mr. Scott offered the following amendments to

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Which were read and adopted:

Section one, line four, strike out words (twelve hundred); line five, the words (twelve hundred); line six, the words (ten hundred and fifty).

On motion of Mr. Scott,

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins (by request),

Assembly Bill No. 107, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish standard packages for cranberries,"' approved March twenty-third, one thousand eight hundred and eighty," which supplement was approved April fourteenth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wildrick,

Assembly Bill No. 19, entitled "Supplement to an act entitled 'An act respecting bridges,' " approved April tenth, one thousand eight hundred and forty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 14th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

With Senate amendment,

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Without amendment.

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and the Speaker put the question, shall the Senate amendments to

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Have a third reading.

Which was agreed to.

On motion of Mr. Scovel,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee Substitute for

Assembly Bill No. 109, entitled "An act concerning the filling of vacancies in elective offices in cities of the third class,"

Mr. Colby, on leave, introduced

Assembly Bill No. 148, entitled "An act relating to corporations,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 149, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such prac-

tice and to ensure the better education of such practitioners, and to ensure better sanitary conditions in barber shops, and to authorize boards of health to co-operate in securing such conditions, and to prevent the spreading of contagious or infectious diseases in the state of New Jersey,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Coyne, on leave, introduced

Assembly Bill No. 150, entitled "A supplement to an act entitled 'An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state,'" approved February twentieth, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Van Derveer, on leave, introduced

Assembly Bill No. 151, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession'" (Revision 1903), approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

On motion of Mr. Gibbs,

The Senate amendments to

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

Were taken up, under suspension of the rules, read a third time, and concurred in by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill,

Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said amendments, and that the Clerk carry them to the Senate and inform the Senate that the House of Assembly has concurred in the same.

The Speaker announced that Mr. Perkins had been appointed as the fifth member of the Committees on Agriculture and Agricultural College, Printed Bills and the Joint Committee on Sinking Fund.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet tomorrow morning at 10:30 o'clock A.M.

On motion of Mr. Duffield, the House then adjourned.

WEDNESDAY, February 15th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. Adlos Allen, of Cranbury, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright —49.

Absent—

Messrs. Colby, Henry F. C., Johnstone, Mabie, Manners, Mattheus, Pennington, Scovel, Tillman, Wilson—10.

The minutes of the last meeting were read and approved.

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. James D. Manning, a police justice of Jersey City.

Mr. Hoagland offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Edward E. Cooper, a former member of this House.

Mr. Reed offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John A. Howland, a former member of this House.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Assembly Bill No. 19, entitled "Supplement to an act entitled 'An act respecting bridges,'" approved April tenth, one thousand eight hundred and forty-six,

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

Assembly Bill No. 39, entitled "An act to authorize cities in this state to insure their buildings,"

Assembly Bill No. 53, entitled "An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,"

Assembly Bill No. 59, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of police justices in cities of the first class," passed May eighteenth, one thousand eight hundred and ninety-four,'" which supplement was approved March seventh, eighteen hundred and ninety-five,

Assembly Bill No. 61, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Assembly Bill No. 107, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish standard packages for cranberries,"' approved March twenty-third, one thousand eight hundred and eighty," which supplement was approved April fourteenth, one thousand nine hundred and three,

And

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Correctly printed.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 12, entitled "An act concerning roads,"

With Committee amendments.

The following amendments to

Assembly Bill No. 12, entitled "An act concerning roads,"

were then read by the Clerk, and adopted by the House:

(1) Strike out the period at the end of section one, line eight, and insert a semicolon in place thereof.

(2) Add to section one the following proviso: "*provided, however*, that this act shall not apply to or be construed to legalize any encroachment upon or along the side line of a road where the middle of the road opposite such encroachment is now used as a road or highway."

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 77, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or 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,

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899)," ' " approved February twenty-sixth, one thousand nine hundred and three,

Favorably, without amendment.

And

Assembly Bill No. 75, entitled "A further supplement to an act entitled 'An act to incorporate the town of Guttenberg, in the county of Hudson,' " approved March ninth, one thousand eight hundred and fifty-nine,

With the following amendments, which were read by the Clerk and adopted by the House:

Amend section one, line seven, by substituting the word "five" for the word "six."

Mr. Elvins (for the Speaker), on leave, introduced

Assembly Bill No. 152, entitled "An act to authorize and enable cities of the third class in this state to furnish electricity, for light, heat and power, for public and private purposes and uses in such cities, and for light, heat and power for public and private purposes and uses in adjacent municipalities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Elvins (for the Speaker), on leave, introduced

Assembly Bill No. 153, entitled "An act to authorize and enable cities of the third class in this state to furnish gas, for light, heat and power, for public and private purposes and uses in such cities, and for light, heat and power for public and private purposes and uses in adjacent municipalities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 154, entitled "An act to authorize cities in this state to purchase existing electric light plants, or to purchase the necessary land as a site for an electric light plant, including the construction of building and the purchase of machinery for the purpose of generating, supplying and distributing electricity for electric light, heat, power, or for any other purposes whatsoever, for public and private use in said cities, and for public and private use in adjacent or neighboring municipalities, and to provide the necessary expenses thereof, and for the regulation of the same,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hulse, on leave, introduced

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Coyne, on leave, introduced

Assembly Bill No. 156, entitled "An act to repeal an act entitled 'An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand,'" approved April seventh, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Shaw, on leave, introduced

Assembly Bill No. 157, entitled "A further supplement to an act entitled 'An act to incorporate the board of chosen freeholders in the respective counties of this state (Revision),' approved April sixteenth, one thousand eight hundred and forty-six,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duffield, on leave, introduced

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Taylor,

Committee Substitute for

Assembly Bill No. 97, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,' " approved April fourth, one thousand eight hundred and eighty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Committee Substitute for

Assembly Bill No. 98, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,' " approved April twentieth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Committee Substitute for

Assembly Bill No. 109, entitled "An act concerning the filling of vacancies in elective offices in cities of the third class,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 12, entitled "An act concerning roads,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Loveridge,

Assembly Bill No. 75, entitled "A further supplement to an act entitled 'An act to incorporate the town of Guttenberg in the

county of Hudson,' " approved March ninth, one thousand eight hundred and fifty-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Colby,

Assembly Bill No. 77, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or 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,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Van Derveer,

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899)," ' " approved February twenty-sixth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Baker, Chairman of the Committee on Railroads and Canals, reported

Senate Bill No. 10, entitled "An act for extending the time for completing certain railroads,"

Favorably, without amendment.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and

close seasons for such capture and possession'" which act was approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 67, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Favorably, without amendment.

And

Assembly Bill No. 68, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

With the following amendments, which were read by the Clerk, and adopted by the House:

In section one, line two, srtike out the word "October."

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 14, entitled "An act to authorize religious corporations, which have heretofore acquired lands in this State on condition for burial or cemetery purposes, to convey the same in certain cases to the municipal corporations wherein they are situated for the uses and purposes of public parks, and to authorize such municipal corporations to receive, hold and maintain, and to embellish and improve the same for such uses and purposes,"

Assembly Bill No. 15, entitled "An act to authorize the conveyance to the 'mayor and aldermen of the city of Paterson' of certain lands heretofore granted by the state of New Jersey for cemetery purposes, and to authorize the said 'the mayor and aldermen of the city of Paterson' to accept and maintain the same as a public park or parks,".

And

Assembly Bill No. 66, entitled "A further supplement to an act entitled 'An act against usury,'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Favorably, without amendment.

On motion of Mr. Baker,

Senate Bill No. 10, entitled "An act for extending the time for completing certain railroads,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession,' " which act was approved April fourteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hunt,

Assembly Bill No. 67, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hunt,

Assembly Bill No. 68, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Assembly Bill No. 15, entitled "An act to authorize the conveyance to the mayor and aldermen of the city of Paterson of certain lands heretofore granted by the state of New Jersey for cemetery purposes, and to authorize the said the mayor and aldermen of the city of Paterson to accept and maintain the same as a public park or parks,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Birkholz,

Assembly Bill No. 66, entitled "A further supplement to an act entitled 'An act against usury,'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Assembly Bill No. 14, entitled "An act to authorize religious corporations which have heretofore acquired lands in this state on condition for burial or cemetery purposes, to convey the same in certain cases to the municipal corporations wherein they are situated for the uses and purposes of public parks, and to authorize such municipal corporations to receive, hold and maintain and to embellish and improve the same for such uses and purposes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Robbins moved that the rules be suspended and that the vote by which

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was advanced to third reading, be reconsidered,

Which motion was carried.

Mr. Robbins moved that the rules be suspended and that

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Robbins,

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up and read a second time.

Mr. Robbins offered the following amendments to

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Which were read and adopted:

1. Insert after the word "offense," in line five, section one, as follows: a comma and the words, "or who being of the age of sixteen or over, shall unlawfully and carnally abuse a woman child under the age of twelve years, with or without her consent."

2. Insert after the word "woman," in line eight, section one, the words, "over the age of twelve years and."

3. Strike out the words "or without" in line eight, section one.

On motion of Mr. Robbins,

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Hamill Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller,

Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—44.

In the negative were—

Messrs. Gibbs, Hunt—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Elvins,

Assembly Bill No. 44, entitled "An act to enable incorporated towns in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use and for the maintenance and operation thereof,"

Was taken up, under suspension of the rules, read for the third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Loveridge, Marelli, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Van Derveer, Wildrick, Willever, Wright—43.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Taylor,

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser,

Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Riordan,

Assembly Bill No. 32, entitled "An act respecting sewers and sewer connections in incorporated towns of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

In the negative—Mr. Hunt—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 15th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 21, entitled "An act authorizing boroughs to cause an extension, or addition, to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof,"

Senate Bill No. 30, entitled "An act for the regulation, protection and control of the planting, cultivating and the gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth,"

And

Senate Bill No. 40, entitled "A supplement to an act entitled 'An act concerning district courts'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 21, entitled "An act authorizing boroughs to cause an extension, or addition, to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 30, entitled "An act for the regulation, protection and control of the planting, cultivating and the gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries, and

Senate Bill No. 40, entitled "A supplement to an act entitled 'An act concerning district courts'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Birkholz,

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Wildrick,

Assembly Bill No. 19, entitled "Supplement to an act entitled 'An act respecting bridges,' " approved April tenth, one thousand eight hundred and forty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Favorably, without amendment.

On motion of Mr. Duffield,

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Was taken up, under suspension of the rules, read for the third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Loveridge, the rules were suspended and the vote by which

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was advanced to third reading, was reconsidered, and

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was placed back on second reading for the purpose of amendment.

The following amendments to

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Were then read by the Clerk, and adopted by the House:

Amend section one, line thirty-seven, by inserting after the word "purpose," and before the semicolon, the words "provided ten days' notice of such special election shall have been given by posting in at least five public places in such township, and by publication for at least one insertion in a newspaper of general circulation in such township."

On motion of Mr. Loveridge,

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

The Clerk read the following announcement:

There will be a meeting of the Committee on Revision of Laws immediately after the session.

L. H. MILLER,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 3 o'clock P.M.

AFTERNOON SESSION.

House reconvened at 3 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt,

Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

Absent—

Messrs. Colby, Gallagher, Henry F. C., Mabie, Manners, Mattheus, Pennington, Scovel, Tillman, Wilson—10.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Favorably, with amendment, and

Assembly Bill No. 134, entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

Favorably, without amendment.

The following amendments to

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Were read by the Clerk, and adopted by the House:

Section one, line twelve, strike out the words "feme-covert."

The following amendments to

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Were read by the Clerk, and adopted by the House:

Section two, line eight, strike out the words "feme-covert."

Mr. Martin, on leave, introduced

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

On motion of Mr. Martin,

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

As amended.

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Assembly Bill No. 134, entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 20, entitled "A supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,'" approved April sixteenth, eighteen hundred and forty-six,

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 146, entitled "Supplement to an act entitled 'An act for the formation and government of villages,'" (Revision), approved February twenty-third, one thousand eight hundred and ninety-one,

Favorably, without amendment.

On motion of Mr. Pearce,

Assembly Bill No. 146, entitled "Supplement to an act entitled 'An act for the formation and government of villages,'" (Revision), approved February twenty-third, one thousand eight hundred and ninety-one,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Senate Bill No. 20, entitled "A supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,'" approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Duffield,

Assembly Bill No. 61, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Coyne, on leave, introduced

Assembly Bill No. 160, entitled "An act to enable water companies to secure a sufficient water-supply,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

On motion of Mr. Robbins,

Assembly Bill No. 107, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish standard packages for cranberries,'" approved March twenty-third, one thousand eight hundred and eighty," which supplement was approved April fourteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Matthews, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 39, entitled "An act to authorize cities in this state to insure their buildings,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scott,

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Marelli,

Assembly Bill No. 70, entitled "A supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hulse, Hunt, Jones, Kaiser, Lange, Layden, Loveridge, Marelli, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—38.

In the negative were—

Messrs. Avis (Speaker), Duffield, Johnstone, Lehlbach, Martin —5.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 59, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of police justices in cities of the first class," passed May eighteenth, one thousand eight hundred and ninety-four,'" which supplement was approved March seventh, eighteen hundred and ninety-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hulse, Hunt, Johnstone, Jones,

Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet on Friday morning at 10:30 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock.

The Clerk read the following announcement:

There will be a public meeting of the Committee on Public Health, after the morning session, next Tuesday, to consider

Assembly Bill No. 95, entitled, "An act to regulate the practice of embalming, burial and disposal of dead human bodies,"

Known as the "Pennington Undertaker Bill."

B. FRANK BUCK,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

FRIDAY, February 17th, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. Barber, Speaker *pro tem.,* in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening at 8 o'clock.

MONDAY, February 20th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. Wm. Adams, of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—54.

Absent—

Messrs. Gallagher, Johnstone, Mattheus, Perkins, Wilson—5.

The minutes of the last meeting were read and approved.

Mr. Robbins offered the following concurrent resolution, which was read and adopted:

Resolved (the Senate concurring), That the Senators and Representatives of the State of New Jersey, in the Congress of the United States, be requested to secure, if possible, the immediate enactment of legislation providing for the consolidation of third and fourth class mail matter, at the uniform rate of one cent for each two ounces, or fraction thereof (one-half of the present merchandise rate), as recommended by the Post-Office Department.

Mr. Fordyce offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Robert Carson, a former member of this House, from the county of Middlesex.

Mr. Hunt offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Henry J. Blohm, a former member of this House, from the county of Salem.

Mr. Murphy offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Timothy J. Carroll, a former member of this House, from Hudson county.

Mr. Robbins moved that the concurrent resolution introduced by him on this date be sent to the Senate at once, which motion was carried.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Assembly Bill No. 86, entitled "A supplement to an act entitled 'An act in relation to county expenditures,' " approved April second, one thousand eight hundred and seventy-eight,

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 41, entitled "An act to incorporate Port Republic as a city and to fix the boundaries thereof,"

Favorably, without amendment.

And

Senate Bill No. 34, entitled "An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city,"

With the following amendments, which were read and adopted:

Amend section two by adding thereto the following:

"Provided, that nothing in this section contained shall authorize the condemnation of the property of any railroad corporation necessary for the proper operation of its railroad."

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 12, entitled "An act concerning roads,"

Assembly Bill No. 14, entitled "An act to authorize religious corporations which have heretofore acquired lands in this state on condition for burial or cemetery purposes, to convey the same in certain cases to the municipal corporations wherein they are situated for the uses and purposes of public parks, and to authorize such municipal corporations to receive, hold and maintain and to embellish and improve the same for such uses and purposes,"

Assembly Bill No. 15, entitled "An act to authorize the conveyance to the 'mayor and aldermen of the city of Paterson' of certain lands heretofore granted by the state of New Jersey for cemetery purposes, and to authorize the said 'the mayor and aldermen of the city of Paterson' to accept and maintain the same as a public park or parks,"

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession'" which act was approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 66, entitled "A further supplement to an act entitled 'An act against usury,'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Assembly Bill No. 67, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 68, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and

fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899),"'" approved February twenty-sixth, one thousand nine hundred and three,

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships'" (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 75, entitled "A further supplement to an act entitled 'An act to incorporate the town of Guttenberg in the county of Hudson,'" approved March ninth, one thousand eight hundred and fifty-nine,

Assembly Bill No. 77, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or 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,

Assembly Bill No. 97, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,'" approved April fourth, one thousand eight hundred and eighty-six,

Assembly Bill No. 98, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,'" approved April twentieth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 109, entitled "An act concerning the filling of vacancies in elective offices in cities of the third class,"

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved

March twenty-seventh, one thousand eight hundred and seventy-four,

Assembly Bill No. 134, entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

And

Assembly Bill No. 146, entitled "Supplement to an act entitled 'An act for the formation and government of villages,'" (Revision), approved February twenty-third, one thousand eight hundred and ninety-one,

Correctly printed.

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Senate Bill No. 3, entitled "An act appropriating the sum of five hundred dollars towards the erection of a monument to commemorate the battle of Monocacy, Maryland, fought July ninth, one thousand eight hundred and sixty-four,"

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 147, entitled "An act to provide for short courses in practical and scientific agriculture in the state agricultural college,"

Favorably, without amendment.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Which were read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Shaw, on leave, introduced

Assembly Bill No. 162, entitled "Supplement to 'An act to regulate term of office in municipalities,'" approved March twelfth, one thousand eight hundred and eighty,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Ernst, on leave, introduced

Assembly Bill No. 163, entitled "Supplement to the act entitled 'An act concerning disorderly persons' (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Duff, on leave, introduced

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duffield, on leave, introduced

Assembly Bill No. 165, entitled "A further supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, on leave, introduced

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand, eight hundred and ninety-five,'" which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Robbins, on leave, introduced

Assembly Bill No. 167, entitled "A further supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

The same gentleman, on leave, by request, introduced

Assembly Bill No. 168, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Mr. F. C. Henry, on leave, introduced

Assembly Bill No. 169, entitled "An act to repeal an act entitled 'An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,' " approved April fifth, nineteen hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Riordan, on leave, introduced

Assembly Bill No. 170, entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),' " approved April twenty-fourth, eighteen hundred and ninety-seven,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

The same gentleman, on leave, introduced

Assembly Bill No. 171, entitled "An act in reference to elections in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Mr. Shedaker, on leave, introduced

Assembly Bill No. 172, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof,' " approved March twenty-second, one thousand eight hundred and ninety five, and the several amendments thereto,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Taylor, on leave, introduced

Assembly Bill No. 173, entitled "An act to amend an act entitled 'An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spiritous, vinous, malt or brewed liquors,' " approved March seventeenth, one thousand eight hundred and ninety-two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 175, entitled "An act to repeal sundry statutes,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Boucher, on leave, introduced

Assembly Bill No. 176, entitled "An act to amend an act entitled 'An act to establish public parks in certain counties of this state, and to regulate the same,' " approved May sixth, nineteen hundred and two,

Which were read for the first time by their titles, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Murphy, on leave, introduced

Assembly Bill No. 177, entitled "An act to secure the payment of laborers, mechanics and other persons employed upon or furnishing materials toward the maintenance of any water-works owned or controlled by municipalities of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

Mr. Mills, on leave, introduced

Assembly Bill No. 178, entitled "Supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 179, entitled "An act to amend an act entitled 'An act respecting orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision of 1898),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Pennington, on leave, introduced

Assembly Bill No. 180, entitled "An act authorizing the sinking fund commissioners of certain municipalities in this state to cancel the municipal bonds of such municipalities held by them,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 181, entitled "A supplement to an act authorizing the issue of tax arrearage bonds in cities," approved April twenty-first, one thousand eight hundred and seventy-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hildreth, on leave, by request, introduced

Assembly Bill No. 182, entitled "An act to incorporate the borough of Cape May Point and fix the boundaries thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Elvins, on leave, introduced

Assembly Bill No. 183, entitled "An act to amend an act entitled 'An act to further amend an act entitled "An act to incorporate the chosen freeholders in the respective counties of this

state,"' approved April sixteenth, one thousand eight hundred and forty-six," which further amendment was approved March fourteenth, one thousand eight hundred and seventy-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 184, entitled "An act to incorporate 'Northfield,' in the county of Atlantic, as a city, and fixing the boundaries thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Manners, on leave, introduced

Assembly bill No. 185, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

The same gentleman, on leave, introduced

Assembly Bill No. 186, entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state,"' approved April first, one thousand nine hundred and three," which said supplement was approved April seventh, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

The same gentleman, on leave, introduced

Assembly Bill No. 187, entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act to provide for the control and operation of roads and bridges owned or claimed to be owned by any plank-road company whose charter has expired or may expire,"' approved March twenty-second, one thousand nine hundred and one," which further supplement was approved March twenty-eighth, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Hamill, on leave, introduced

Assembly Bill No. 188, entitled "A supplement to an act entitled 'An act relating to information in the nature of a quo warranto (Revision of 1903),'" approved April eighth, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 189, entitled "An act to revise and amend an act entitled 'An act for the taxation of all property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto,'" which act was approved March twenty-third, nineteen hundred, and the supplements and amendments thereto,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 190, entitled "An act to authorize cities of the first class to contract to supply water to certain other municipalities in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Scovel, on leave, introduced

Assembly Bill No. 191, entitled "An act to incorporate the borough of Audubon, in the county of Camden,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Scovel, on leave, by request, introduced

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

The same gentleman, on leave, by request, introduced

Assembly Bill No. 193, entitled "A supplement to an act entitled 'An act concerning the court of chancery,'" approved April third, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Manners offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John Howe, a former member of this House.

Mr. Lehlbach moved that the rules be suspended, and that the vote by which

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Was advanced to third reading be reconsidered.

Which motion was carried.

Mr. Lehlbach moved

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Be recommitted to the Committee on Municipal Corporations for further consideration,

Which motion was carried.

On motion of Mr. Hamill,

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Assembly Bill No. 86, entitled "A supplement to an act entitled 'An act in relation to county expenditures,'" approved April second, one thousand eight hundred and seventy-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hunt (for the Speaker),

Assembly Bill No. 147, entitled "An act to provide for short courses in practical and scientific agriculture in the state agricultural college,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 41, entitled "An act to incorporate Port Republic as a city and fix the boundaries thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Shedaker,

Senate Bill No. 34, entitled "An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 3, entitled "An act appropriating the sum of five hundred dollars towards the erection of a monument to commemorate the battle of Monocacy, Maryland, fought July ninth, one thousand eight hundred and sixty-four,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel moved that the rules be suspended, and that

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Be sent to the Senate at once, which motion was carried.

On motion of Mr. Mills,

Senate Bill No. 10, entitled "An act for extending the time for completing certain railroads,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mills, Murphy, Pearce, Pennington. Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

With the following amendments, which were read and adopted:

Amend section two (2) by striking out the word "five," on line eleven, and inserting in lieu thereof the word "two."

Amend section six by striking out the word "ten," on line seven, page three, and inserting in place thereof the word "fifty."

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 20th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Assembly Bill No. 56, entitled "An act respecting sheriffs in counties of the first class in this state, and providing salaries for such officers, and respecting the fees and duties of such sheriffs,"

HOWARD L. TYLER,
Secretary of the Senate.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 20th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 36, entitled "A supplement to an act entitled 'A general act relating to boroughs' " (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Senate Bill No. 43, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Senate Bill No. 59, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, nineteen hundred and five,' " approved April fifth, nineteen hundred and four,

And

Senate Bill No. 65, entitled "An act to provide for the appointment of a commission to revise and codify the laws of this state relative to corporations,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Loveridge,

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships' " (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Senate Bill No. 20, entitled "A supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,'" approved April sixteenth, eighteen hundred and forty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hamill,

Assembly Bill No. 134, entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Committee Substitute for

Assembly Bill No. 109, entitled 'An act concerning the filling of vacancies in elective offices in cities of the third class,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scovel,

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

The Senate message was then taken up and

Senate Bill No. 36, entitled "A supplement to an act entitled 'A general act relating to boroughs'" (Revision, 1897), ap-

proved April twenty-fourth, one thousand eight hundred and ninety-seven,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 43, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Senate Bill No. 59, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, nineteen hundred and five,' " approved April fifth, nineteen hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations

And

Senate Bill No. 65, entitled "An act to provide for the appointment of a commission to revise and codify the laws of this state relative to corporations,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That 500 extra copies of

Assembly Bill No. 7, entitled "An act relative to the time of election and appointment and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,"

And of

Assembly Bill No. 50, entitled "An act concerning the levying of taxes in certain municipalities,"

Be printed.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet Tuesday morning next at 10:30 A.M.

Mr. Colby, on leave, introduced

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The Clerk read the following announcement:

There will be a meeting of the Committee on Municipal Corporations, to-morrow, at 12:30 o'clock P.M.

H. S. SCOVEL,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, February 21st, 1905.

House met at 10:30 o'clock A.M.

Prayer was offered by Rev. A. Stirling Barner, of East Orange, N. J.

Upon the calling of the roll, the following gentlement appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —55.

Absent—

Messrs. Callery, Henry F. C., Johnstone, Manners—4.

The minutes of the last meeting were read and approved.

Mr. De Cou presented the following petition, which was read by the Clerk:

HIGHTSTOWN, N. J. February 18th, 1905.

To the Honorable, the Legislature of New Jersey:

We, the undersigned, residents of New Jersey, county of Mercer, and members of the Hightstown Grange, No. 96, representing all shades of political opinion, do respectfully petition your honorable body:

First. To give the public relief from the intolerable conditions of the fee system, and to fix annual salaries of sheriffs, county clerks and surrogates of our county, as well as of others throughout the State, and that all fees, costs, allowances in percentages received by these officials be turned over to the county collector for county use.

Second. We petition that a fine of $50 be imposed on any person who shall run or operate in this State any automobile geared for a higher speed than twenty miles per hour.

CHAS. BLACK,
R. H. ELY,
LEVI UPDIKE,
WM. M. PERRINE, *Sec'y*,
Legislative Committee.

Mr. Marelli offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Frederick W. Van Blarcom, a former member of this House, from the county of Passaic.

Mr. Boucher offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. George A. Heaney, a former member of this House, from the county of Hudson.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Favorably, without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Assembly Bill No. 86, entitled "A supplement to an act entitled 'An act in relation to county expenditures,'" approved April second, one thousand eight hundred and seventy-eight,

Assembly Bill No. 147, entitled "An act to provide for short courses in practical and scientific agriculture in the state agricultural college,"

And

Senate Bill No. 34, entitled "An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city,"

With Assembly amendments,

Correctly printed.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Assembly Bill No. 82, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Favorably, without amendment.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public

roads in this state,' " approved April first, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Scovel, on leave, introduced

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Boucher, on leave, introduced

Assembly Bill No. 197, entitled "An act authorizing the payment before maturity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. De Cou offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. B. L. Gulick, a former member of this House, from the county of Mercer.

On motion of Mr. Colby,

Assembly Bill No. 82, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' " approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gallagher,

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,' " approved February twenty-fifth, one thousand eight hundred and ninety-two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 21st, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Assembly Bill No. 64, entitled "A supplement to 'An act to prescribe the notice to be given of applications to the Legislature for laws, when notice is required by the constitution,'" approved January twenty-sixth, eighteen hundred and seventy-six,

HOWARD L. TYLER,
Secretary of the Senate.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 21st, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Senate Bill No. 12, entitled "An act to reduce the number of members of boards of water commissioners in certain cities of this state and to provide for the appointment of the members of said boards, and to prescribe their powers and duties,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 12, entitled "An act to reduce the number of members of boards of water commissioners in certain cities of this state and to provide for the appointment of the members of said boards, and to prescribe their powers and duties,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Mabie, the vote by which

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-first, one thousand eight hundred and ninety-nine,

Was advanced to third reading was reconsidered,

And

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-first, one thousand eight hundred and ninety-nine,

Was placed back on second reading for the purpose of amendment.

On motion of Mr. Mabie,

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-first, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, and the following amendments were read and adopted:

Insert, in section one, at the beginning of line five, after figure five, the figures twenty.

Insert, in section two, at the beginning of line three, after figure three, the figures seventy-eight.

Insert, in section three, at the beginning of line three, after figure three, the figures seventy-nine.

Insert, in section four, at the beginning of line three, after figure three, the figures eighty.

On motion of Mr. Mabie,

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve

thousand inhabitants,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Martin, the vote by which

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Was advanced to third reading was reconsidered.

And

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Was placed back on second reading for the purpose of amendment.

On motion of Mr. Martin,

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Was taken up, read a second time, and the following amendment, proposed by Mr. Colby, was read and adopted:

Amend section two to read:

"2. This act shall take effect six months after the date of its approval, but shall not affect appeals from final decrees entered before this act shall take effect."

On motion of Mr. Martin,

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Martin, the vote by which

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was advanced to third reading was reconsidered.

And

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was placed back on second reading for the purpose of amendment.

On motion of Mr. Martin,

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up, read a second time, and the following amendments, proposed by Mr. Colby, were read and adopted:

Amend by striking out the word "shall" in line four, being the last word in said line, and by striking out the words "have been or," being the first three words in line five.

On motion of Mr. Martin,

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 97, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,'" approved April fourth, one thousand eight hundred and eighty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Taylor,

Assembly Bill No. 98, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,' " approved April twentieth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hunt,

Assembly Bill No. 67, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Coyne, Dalrymple, De Cou, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hulse, Jones, Loveridge, Marelli, Miller, Mills, Pearce, Reed, Scovel, Shedaker, Van Derveer, Willever, Wright —24.

In the negative were—

Messrs. Alexander Barber, Birkholz, Colby, Duff, Duffield, Ernst, Gallagher, Hamill, Hoagland, Hunt, Lange, Layden, Lehlbach, Mabie, Martin, Mattheus, Murphy, Pennington, Perkins, Riordan, Robbins, Scott, Shaw, Taylor, Tillman, Wildrick, Wilson—28.

On motion of Mr. Birkholz,

Assembly Bill No. 66, entitled "A further supplement to an act entitled 'An act against usury,' " approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee Substitute for

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

On motion of Mr. Loveridge,

Assembly Bill No. 75, entitled "A further supplement to an act entitled 'An act to incorporate the town of Guttenberg, in the county of Hudson,'" approved March ninth, one thousand eight hundred and fifty-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Elvins, for the Speaker,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Colby, Coyne, Dalrymple, De Cou, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hoagland, Hulse, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Taylor, Van Derveer, Willever, Wilson, Wright —42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Pearce,

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession,' " which act was approved April fourteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Lehlbach, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—47.

In the negative were—

Messrs. Elvins, Hildreth—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Colby offered the following joint resolution, which was read by the Clerk:

JOINT RESOLUTION No. 1.

As to the records of soldiers of this State on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901,

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

1. The Governor, the Adjutant-General, the Comptroller and the Treasurer be authorized to cause to be published such number of copies as they may deem proper of the records of soldiers of this State who served on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901, which have been compiled in the Adjutant-General's office, and that they be directed to make such disposition of the same upon such plan and in such manner as shall appear to them most judicious and consistent with the public interest.

2. This joint resolution shall take effect immediately.

On motion of Mr. Duffield, Assembly Joint Resolution No. 1 was referred to the Committee on Judiciary.

On motion of Mr. Elvins,

Senate Bill No. 41, entitled "An act to incorporate Port Republic as a city and fix the boundaries thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Robbins,

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins, the vote by which

Assembly Bill No. 12, entitled "An act concerning roads,"

Was advanced to third reading was reconsidered.

And

Assembly Bill No. 12, entitled "An act concerning roads,"

Was placed back on second reading for the purpose of amendment.

On motion of Mr. Robbins,

Assembly Bill No. 12, entitled "An act concerning roads,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Martin, were read and adopted:

Amend section one, line three, by inserting between the words "and" and "any" the words "the entire width of," so that the same shall read "and the entire width of any portion."

On motion of Mr. Robbins,

Assembly Bill No. 12, entitled "An act concerning roads,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —53.

Absent—

Messrs. Buck, Callery, Henry F. C., Johnstone, Manners, Mattheus—6.

The Clerk read the following announcements:

There will be a meeting of the Committee on Judiciary, immediately after adjournment.

EDWARD D. DUFFIELD,
Chairman.

A public hearing will be given on

Senate Bill No. 42, entitled "An act to consolidate with and annex to the city of Newark, in the county of Essex, the territory embraced within the bounds of the town of Bloomfield, in the county of Essex; provided, a majority of the votes cast in the said town upon the question of such annexation and consolidation shall be in favor thereof, and the mayor and common council of said city shall consent thereto,"

Tuesday, February 28th, at one o'clock P.M. in Municipal Corporation room.

CORNELIUS C. PEARCE,
Chairman on Towns and Townships.

Committee on Municipal Corporations will meet immediately after adjournment.

H. S. SCOVEL,
Chairman.

The Committee on Boroughs and Borough Commissions will hold a public hearing on

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

The act for the incorporation of Pitman Grove as a borough, on Tuesday, February 28th, at one o'clock.

THOMAS E. HUNT,
Chairman.

A public hearing will be given on

Assembly Bill No. 148, entitled "An act relating to corporations,"

Relative to the limiting of franchises to public utility corporations, before the Committee on Municipal Corporations, Tuesday, February 28th, at one o'clock.

H. S. SCOVEL,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse,

Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —54.

Absent—

Messrs. Buck, Callery, Hamill, Johnstone, Manners—5.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Favorably with amendment.

Committee Substitute for

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

And

JOINT RESOLUTION No. 1.

As to the records of soldiers of this State on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901,

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

1. The Governor, the Adjutant-General, the Comptroller and the Treasurer be authorized to cause to be published such number of copies as they may deem proper of the records of soldiers of this State who served on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901, which have been compiled in the Adjutant-General's office, and that they be directed to make such disposition of the same upon such plan and in such manner as

shall appear to them most judicious and consistent with the public interest.

2. This joint resolution shall take effect immediately.

Favorably, without amendment.

The following amendments to

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Were read by the Clerk, and adopted by the House:

Amend section one to read:

"1. The state board of health shall make, prepare, or procure, and distribute to the inhabitants of this state, without charge, diphtheria antitoxin in such quantities, and in such manner, through local boards of health or otherwise, as said state board shall, by rules, determine, and for that purpose may provide or rent such laboratories, apparatus, materials and other requirements as shall be necessary."

Amend section two to read:

"2. For the purposes aforesaid the state board of health is hereby authorized to expend, and the state treasurer to pay out on warrants duly approved by the comptroller on the order of said board, such sums of money not to exceed seven thousand dollars for permanent equipments and six thousand dollars for annual expenditures, as may be from time to time duly appropriated therefor."

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Senate Bill No. 21, entitled "An act authorizing boroughs to cause an extension, or addition, to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof,"

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture, reported

Assembly Bill No. 123, entitled "An act for the establishment of forest park reservations by and in the State of New Jersey, and for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties,"

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 63, entitled "A supplement to an act entitled 'An act concerning villages which have been or shall become separate from the township in which they were or are contained, and which have been or shall be given complete autonomy of local government,' " approved March twenty-eighth, one thousand nine hundred and four,

Favorably, without amendment.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 30, entitled "An act for the regulation, protection and control of the planting, cultivating and the gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth,"

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations reported

Assembly Bill No. 150, entitled "A supplement to an act entitled 'An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state,' " approved February twentieth, one thousand eight hundred and ninety-five,

Assembly Bill No. 83, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this state to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hundred and ninety-nine, and to extend the provisions of said act to claims for county taxes,' " approved March twenty-ninth, one thousand nine hundred and four,

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Assembly Bill No. 87, entitled "An act concerning cities,"

Assembly Bill No. 5, entitled "An act to prohibit the sale, by any person or persons, corporation or corporations, of any potable water from any river or stream, or other fresh water body within this state, to any person or persons, corporation or corporations of any kind without the bounds of the state of New Jersey,"

Assembly Bill No. 13, entitled "An act concerning sidewalks upon or along county roads,"

Assembly Bill No. 37, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Assembly Bill No. 140, entitled "An act to repeal 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,'" approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto,

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Assembly Bill No. 156, entitled "An act to repeal an act entitled 'An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand,'" approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 91, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize municipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and eighty-one,'" which supplement was approved April seventeenth, one thousand eight hundred and eighty-four,

Assembly Bill No. 149, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to ensure the better education of such practitioners, and to ensure better sanitary conditions in barber shops, and to authorize boards of health to co-operate in securing such conditions, and to prevent the spreading of contagious or infectious diseases in the state of New Jersey,"

Assembly Bill No. 76, entitled "An act to amend an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future

taxation and assessment,'" approved March thirtieth, one thousand eight hundred and eighty-six,

And

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Favorably, without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

Assembly Bill No. 82, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

And

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Correctly printed.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 198, entitled "An act to provide for (the payment for) the paving, repaving, repairing and improving of paved streets and public places, and the reconstructing of sewers, and the construction and furnishing of public school buildings in any city in this state, out of moneys received from liquor licenses in such city,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Colby,

JOINT RESOLUTION No. 1.

As to the records of soldiers of this State on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901,

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

1. The Governor, the Adjutant-General, the Comptroller and the Treasurer be authorized to cause to be published such number of copies as they may deem proper of the records of soldiers of this State who served on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898 1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901, which have been compiled in the Adjutant-General's office, and that they be directed to make such disposition of the same upon such plan and in such manner as shall appear to them most judicious and consistent with the public interest.

2. This joint resolution shall take effect immediately.

Was taken up, read a second time, considered by sections, agreed to and ordered to have a third reading.

On motion of Mr. Colby,

JOINT RESOLUTION No. 1.

As to the records of soldiers of this State on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901,

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

1. The Governor, the Adjutant-General, the Comptroller and the Treasurer be authorized to cause to be published such number of copies as they may deem proper of the records of soldiers of this State who served on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China

Relief Expedition, 1900-1901, which have been compiled in the Adjutant-General's office, and that they be directed to make such disposition of the same upon such plan and in such manner as shall appear to them most judicious and consistent with the public interest.

2. This joint resolution shall take effect immediately.

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said Assembly Joint Resolution, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Fordyce,

Assembly Bill No. 123, entitled "An act for the establishment of forest park reservations by and in the state of New Jersey, and agreed to, ordered to be printed, and to have a third reading.

for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No 63, entitled "A supplement to an act entitled "An act concerning villages which have been or shall become separate from the township in which they were or are contained, and which have been or shall be given complete autonomy of local government,' " approved March twenty-eighth, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Coyne,

Assembly Bill No. 150, entitled "A supplement to an act entitled 'An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state,' " approved February twentieth, one thousand eight hundred and ninety-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 83, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this state to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hundred and ninety-nine, and to extend the provisions of said act to claims for county taxes,' " approved March twenty-ninth, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Barber,

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Birkholz,

Assembly Bill No. 87, entitled "An act concerning cities,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Layden,

Assembly Bill No. 5, entitled "An act to prohibit the sale, by any person or persons, corporation or corporations, of any potable water from any river or stream, or other fresh water body within this state, to any person or persons, corporation or corporations of any kind without the bounds of the state of New Jersey,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 13, entitled "An act concerning sidewalks upon or along county roads,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Dalrymple,

Assembly Bill No. 37, entitled " Asupplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' " passed March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of the same gentleman,

Assembly Bill No. 140, entitled "An act to repeal 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,' " approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto.

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of the same gentleman,

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Coyne,

Assembly Bill No. 156, entitled "An act to repeal an act entitled 'An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand,' " approved April seventh, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 91, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize mu-

nicipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and eighty-one,' " which supplement was approved April seventeenth, one thousand eight hundred and eighty-four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 149, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to ensure the better education of such practitioners, and to ensure better sanitary conditions in barber shops, and to authorize boards of health to co-operate in securing such conditions, and to prevent the spreading of contagious or infectious diseases in the state of New Jersey,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pennington,

Assembly Bill No. 76, entitled "An act to amend an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' " approved March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' " approved April twenty-fourth, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. F. C. Henry,

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Committee Substitute for

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect upon lands owned by such counties, hospitals for the care of the insane,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 21, entitled "An act authorizing boroughs to cause an extension, or addition, to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 30, entitled "An act for the regulation, protection and control of the planting cultivating and the gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 3, entitled "An act appropriating the sum of five hundred dollars towards the erection of a monument to commemorate the battle of Monocacy, Maryland, fought July ninth, one thousand eight hundred and sixty-four,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Mur-

phy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw. Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee substitute for

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Mr. Heck offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John M. Bell, a former member of this House, from the county of Bergen.

On motion of Mr. Robbins,

Senate Bill No. 34, entitled "An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city,"

With Assembly amendments,

Was taken up, and under suspension of the rules, was read a third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendments,

And requests its concurrence therein.

On motion of Mr. Pearce,

Assembly Bill No. 146, entitled "Supplement to an act entitled 'An act for the formation and government of villages'" (Revision), approved February twenty-third, one thousand eight hundred and ninety-one,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the followin vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Assembly Bill No. 53, entitled "An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Love-

ridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Reed,

Senate Bill No. 21, entitled "An act authorizing boroughs to cause an extension, or addition, to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 40, entitled "A supplement to an act entitled 'An act concerning district courts'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

With the following amendments, which were read and adopted:

Amend section 1, line 7, by adding after the word "constable" the words "such sergeant-at-arms shall exercise all powers conferred on sergeant-at-arms by the act to which this act is a supplement,"

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet on Friday morning at 10:30 o'clock, and that when it then adjourn it be to meet on Monday evening next at 8 o'clock.

The Clerk read the following announcements:

There will be a public hearing by the Judiciary Committee on

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

Amending the tenement house law on Wednesday, the first day of March, at two P. M., in the Assembly chamber.

EDWARD D. DUFFIELD,
Chairman.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 184, entitled "An act to incorporate 'Northfield,' in the county of Atlantic, as a city, and fixing the boundaries thereof,"

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 125, entitled "An act to enable townships in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use, and for the maintenance and operation thereof,"

Favorably, without amendment.

Mr. Miller, on leave, introduced

Assembly Bill No. 199, entitled "Supplement to an act entitled 'An act for the relief of creditors against absent, fraudulent and absconding debtors,' " approved March twentieth, one thousand nine hundred and one,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Gallagher, on leave, introduced

Assembly Bill No. 200, entitled "An act for the appointment of a board for the examination and licensing of sanitary plumbers, and defining the duties and powers of said board,"

Which was read for the first time by its title, ordered to have a second reading and referred to the Committee on Public Health.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,' " approved February twenty-first, one thousand eight hundred and eighty-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Lehlbach moved that the rules be suspended, and that

Committee Substitute for

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Be placed on second reading,

Which motion was carried.

On motion of Mr. Lehlbach,

Committee Substitute for

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Martin,

Assembly Bill No. 125, entitled "An act to enable townships in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use, and for the maintenance and operation thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Elvins,

Assembly Bill No. 184, entitled "An act to incorporate 'Northfield,' in the county of Atlantic, as a city, and fixing the boundaries thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 40, entitled "A supplement to an act entitled 'An act concerning district courts'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield, the House then adjourned.

FRIDAY, February 24, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. De Cou, Speaker *pro tem.*, in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening, at 8 o'clock.

MONDAY, February 27th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. J. L. Howard, of Woodbury, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Boyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

Absent—

Messrs. Duff, Gibbs, Kaiser, Lange.

The minutes of the last meeting were read and approved.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Assembly Bill No. 5, entitled "An act to prohibit the sale, by any person or persons, corporation or corporations, of any potable water from any river or stream, or other fresh water body within this state, to any person or persons, corporation or corporations of any kind without the bounds of the state of New Jersey,"

Assembly Bill No. 12, entitled "An act concerning roads,"

Assembly Bill No. 13, entitled "An act concerning sidewalks upon or along county roads,"

Assembly Bill No. 37, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien

in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' " passed March thirtieth, one thousand eight hundred and eighty-six,

Assembly Bill No. 63, entitled "A supplement to an act entitled 'An act concerning villages which have been or shall become separate from the township in which they were or are contained, and which have been or shall be given complete autonomy of local government,' " approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 76, entitled "An act to amend an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assesment,' " approved March thirtieth, one thousand eight hundred and eighty-six,

Assembly Bill No. 83, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this state to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hundred and ninety-nine, and to extend the provisions of said act to claims for county taxes,' " approved March twenty-ninth, one thousand nine hundred and four,

Assembly Bill No. 87, entitled "An act concerning cities,"

Assembly Bill No. 91, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize municipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and eighty-one,' " which supplement was approved April seventeenth, one thousand eight hundred and eighty-four,

Assembly Bill No. 125, entitled "An act to enable townships in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use, and for the maintenance and operation thereof,"

Assembly Bill No. 140, entitled "An act to repeal 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,' " approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto,

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Assembly Bill No. 149, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to ensure the better education of such practitioners, and to ensure better sanitary conditions in barber shops, and to authorize boards of health to co-operate in securing such conditions, and to prevent the spreading of contagious or infectious diseases in the state of New Jersey,"

Assembly Bill No. 150, entitled "A supplement to an act entitled 'An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state,' " approved February twentieth, one thousand eight hundred and ninety-five,

Assembly Bill No. 156, entitled "An act to repeal an act entitled 'An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand,' " approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Assembly Bill No. 184, entitled "An act to incorporate 'Northfield,' in the county of Atlantic, as a city, and fixing the boundaries thereof,"

Assembly Bill No. 123, entitled "An act for the establishment of forest park reservations by and in the State of New Jersey, and for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties,"

Senate Committee Substitute for

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

JOINT RESOLUTION No. 1.

As to the records of soldiers of this State on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901,

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

1. The Governor, the Adjutant-General, the Comptroller and the Treasurer be authorized to cause to be published such number of copies as they may deem proper of the records of soldiers of this State who served on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China Relief Expedition, 1900-1901, which have been compiled in the Adjutant-General's office, and that they be directed to make such disposition of the same upon such plan and in such manner as shall appear to them most judicious and consistent with the public interest.

2. This joint resolution shall take effect immediately.

And

Senate Bill No. 40, entitled "A supplement to an act entitled 'An act concerning district courts'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

With Assembly amendments,

Correctly printed.

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Assembly Bill No. 130, entitled "An act to authorize the erection of a monument on the battlefield of Red Bank, in the county of Gloucester, and to appropriate money to pay the cost thereof,"

Favorably, without amendment.

And

Assembly Bill No. 167, entitled "A further supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four,

With the following amendment,

Which was read and adopted.

Insert the word "so" between the words "be" and "raised," in next to the last line of section one.

Also,

Senate Bill No. 59, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, nineteen hundred and five,' " approved April fifth, nineteen hundred and four,

Favorably, without amendment.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Assembly Bill No. 191, entitled "An act to incorporate the borough of Audubon, in the county of Camden,"

Favorably, without amendment.

Mr. Manners, on leave, introduced

Assembly Bill No. 202, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The same gentleman, on leave, introduced

Assembly Bill No. 203, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903)' " approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

Mr. Loveridge, on leave introduced

Assembly Bill No. 204, 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,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 205, entitled "An act to amend an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'An act for the appoinment of commissioners for the better protection of the fishing interests of the State of New Jersey,' " '

approved March seventeenth, one thousand eight hundred and seventy," which supplement was approved May fifteenth, one thousand eight hundred and ninety-four," and which further amendatory act was approved March twenty-second, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

The same gentleman, on leave, introduced

Assembly Bill No. 206, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish and to provide a procedure to recover penalties for the violation hereof,'" approved March twenty-second, one thousand eight hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

The same gentleman, on leave, introduced

Assembly Bill No. 207, entitled "An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein justices of the Peace in place of Justices of the Peace whose terms expire on the first day of May, one thousand nine hundred and five,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Wilson, on leave, introduced

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint Commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Mr. Scovel, on leave, introduced

Assembly Bill No. 209, entitled "An act to amend an act entitled 'An act for the relief of executors, administrators and assignees,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Riordan, on leave, introduced

Assembly Bill No. 210, entitled "An act concerning the time of payment of assessments of benefits of public improvements in towns of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, on leave, introduced

Assembly Bill No. 211, entitled "An act to regulate the price of electric arc lights for lighting streets and public places,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 212, entitled "An act to provide for water supply for municipalities of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Alexander, on leave, introduced

Assembly Bill No. 213, entitled "Supplement to an act entitled 'An act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this state,' " approved April fourth, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Mills, on leave, introduced

Assembly Bill No. 214, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 215, entitled "An act to amend 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,' " approved April twenty-first, eighteen hundred and seventy-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, on leave, introduced

Assembly Bill No. 216, entitled "An act to amend an act entitled 'An act concerning townships (Revision of 1899) ' " approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Robbins, by request, on leave, introduced

Assembly Bill No. 217, entitled "A supplement to an act entitled 'An act to promote the propagation and growth of seed oysters and to protect the natural oyster seed grounds of this state,' " approved March twenty-first, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Colby, on leave, introduced

Assembly Bill No. 218, entitled "A supplement to an act entitled 'An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions,' " approved April seventh, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Mr. Colby offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. William Lord, a former member of this House, from the county of Essex.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 219, entitled "An act providing for the annual audit of the finances of municipalities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Duffield, on leave, introduced

Assembly Bill No. 220, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Coyne, on leave, introduced

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Wildrick offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Lewis J. Martin, of Sussex county, a former Senator.

Mr. Wilson offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Edward Gnichtel, a former member of this House, from the county of Essex.

Mr. Boucher offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to ex-Judge Thomas F. Noonan, a former member of this House, from Hudson county.

Mr. Hunt offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Joseph B. Crispin, a former member of this House, from the county of Salem.

On motion of Mr. Coyne,

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Was taken up and read a second time.

Mr. Duffield offered the following amendments to

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Which were read by the Clerk, and adopted by the House.

Amend title by inserting between the word "townships" and the word "of" the words "and villages."

Amend section 1, line 1, by inserting between the word "township" and the word "of" the words "and villages."

Section 1, line 1, strike out the words "township committee" and insert the words "governing body."

Section 1, line 6, strike out the words "township committee" and insert the words "governing body."

Section 2, line 1, strike out the words "township committee" and insert the words "governing body."

Section 2, line 1, insert between the word "township" and the word "wherein" the words "or villages."

Section 2, line 10, insert between the word "township" and the word "and" the words "or villages."

Section 3, line 1, strike out the words "township committee" and insert the words "governing body."

Section 3, line 1, insert between the word "township" and the word "wherein" the words "or governing body."

On motion of Mr. Coyne,

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

As amended,

Was taken up, read a third time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Duffield,

Committee Substitute for

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins, for the Speaker,

Assembly Bill No. 130, entitled "An act to authorize the erection of a monument on the battlefield of Red Bank, in the county of Gloucester, and to appropriate money to pay the cost thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 167, entitled "A further supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,' " approved April fifth, one thousand nine hundred and four,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 191, entitled "An act to incorporate the borough of Audubon, in the county of Camden,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Barber,

Senate Bill No. 59, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, nineteen hundred and five,' " approved April fifth, nineteen hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Scovel,

The rules were suspended and

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Was recommitted to the Committee on Municipal Corporations for the purpose of amendment.

At the request of Mr. Hildreth, the unanimous consent of the House was given for the withdrawal from the files of

Assembly Bill No. 182, entitled "An act to incorporate the borough of Cape May Point and fix the boundaries thereof."

Mr. Barber moved that the rules be suspended, and that the vote by which

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Was advanced to third reading be reconsidered, and

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Be placed back on second reading for amendment,

Which motion was carried.

Mr. Scovel, Chairman of the Committee on Municipal Corporations reported

Assembly Bill No. 16, entitled "An act to authorize the transfer of certain parts of public parks or open spaces, or any interests, easements or rights of way therein, where the same may be required by any municipality for a water-supply or other public uses,"

Favorably, with the following amendments, which were read and adopted:

In the last line of the title strike out the words "water supply or other public uses," and insert in lieu thereof the words "distributing reservoir and necessary connections."

Insert in line two of section one, after the word "space," the words "adjoining which a reservoir or a water supply owned by a municipality exists."

Strike out in lines three and four of section one the words "water supply or other public uses," and insert in lieu thereof the words "distributing reservoir and necessary connections."

Insert in line five of section one, after the word "thereof," the words "if in their judgment it seems proper so to do."

Strike out in line six of section one the words "water supply or other public uses," and insert in lieu thereof the words "distributing reservoir and necessary connections."

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 23, entitled "A supplement to an act entitled 'An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,'" approved March twenty-six, one thousand nine hundred and two,

Favorably, without amendment.

Mr. Miller, on leave, introduced

Assembly Bill No. 222, entitled "An act for the regulation and control of experiments in the artificial propagation of oysters and clams,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

The same gentleman, on leave, introduced

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

The same gentleman, on leave, introduced

Assembly Bill No. 224, entitled "A supplement to 'An act concerning sheriffs,'" approved March fifteenth, one thousand eight hundred and seventy-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. F. C. Henry, on leave, introduced

Assembly Bill No. 225, entitled "An act to amend an act entitled 'An act concerning district courts (Revision of 1898)'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Lehlbach,

Committee Substitute for

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Wright,

Assembly Bill No. 14, entitled "An act to authorize religious corporations which have heretofore acquired lands in this state on condition for burial or cemetery purposes, to convey the same in certain cases to the municipal corporations wherein they are situated for the uses and purposes of public parks, and to authorize such municipal corporations to receive, hold and maintain and to embellish and improve the same for such uses and purposes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Wright,

Assembly Bill No. 15, entitled "An act to authorize the conveyance to the mayor and aldermen of the city of Paterson of certain lands heretofore granted by the state of New Jersey for cemetery purposes, and to authorize the said the mayor and aldermen of the city of Paterson to accept and maintain the same as a public park or parks,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 27th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 31, entitled "An act to establish the office of deputy register of deeds and mortgages in counties of this state in which the office of register of deeds and mortgages now exists or may hereafter exist,"

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Assembly Bill No. 52, entitled "An act to authorize the construction of a sewer for the state home for girls,"

Also

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state,'" approved April third, one thousand nine hundred and two,

Senate Bill No. 45, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Senate Bill No. 47, entitled "An act to appropriate money for the erection of a memorial monolith, commemorative of the state of New Jersey as one of the thirteen original states, to be placed in the memorial portico of the memorial continental hall, about to be erected in the city of Washington, in the District of Columbia, under the auspices of the Daughters of the American Revolution,"

Senate Bill No. 54, entitled "An act to create the office of commissioner of charities and corrections and to define his powers and duties,"

Senate Bill No. 55, entitled "An act to repeal sundry acts respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,"

Senate Bill No. 57, entitled "An act to repeal sundry acts concerning executors, and administration of intestates' estates,"

Senate Bill No. 69, entitled "An act providing for the appointment and election of an overseer of the poor in cities of this state, in which the power is not conferred by the charter of such cities, and providing for their compensation,"

Senate Bill No. 71, entitled "An act to amend an act entitled 'An amendment to an act entitled "An act for the punishment of crimes,"' approved June the fourteenth, eighteen hundred and ninety-eight (Revision of 1898)," approved March twenty-second, one thousand nine hundred and one,

In which the concurrence of the House of Assembly is requested, and

Senate Concurrent Resolution No. 2, entitled "Concurrent resolution for the creation of a commission to co-operate with the authorities of the state of Pennsylvania in regard to the propagation of fish in the Delaware river, and the adoption of concurrent laws relating thereto by both states,"

Senate Joint Resolution No. 3, entitled "Joint resolution authorizing and providing for the appointment of a commission to investigate and report upon the existing turnpikes, pay or toll roads in this state, with the view of converting the same into free public roads,"

And the following concurrent resolutions:

WHEREAS, A strong and urgent public sentiment is growing counter to the general practice of municipalities granting public utility corporations perpetual and unlimited franchises, and without proper compensation to said municipalities for such grants; and

WHEREAS, The general principle upon which such grants are made is fundamentally wrong in theory and in fact, and is so recognized by the best authorities upon municipal government and administration; and

WHEREAS, This problem is vital to the welfare of every community; now, therefore, be it

Resolved (the senate concurring), That it is the sentiment of the senate and general assembly of this state, that all franchises granted in perpetuity to public utility corporations, by municipalities of this state, without proper restrictions and adequate compensation and safeguard, regard being had to both present and future conditions, are wrong in principle; anticipating conditions impossible to forecast, and depriving future generations of their just rights, and are therefore unfair and wrong, and in every respect contrary to public policy.

Resolved (the senate concurring), That the senators and representatives of the state of New Jersey, in the congress of the United States, be requested to secure, if possible, the immediate enactment of legislation providing for the consolidation of third and fourth class mail matter, at the uniform rate of one cent for each two ounces or fraction thereof (one-half of the present merchandise rate), as recommended by the post-office department.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state.'" approved April third, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 45, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Senate Bill No. 47, entitled "An act to appropriate money for the erection of a memorial monolith, commemorative of the state of New Jersey as one of the thirteen original states, to be placed in the memorial portico of the memorial continental hall, about to be erected in the city of Washington, in the District of Columbia, under the auspices of the Daughters of the American Revolution,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations

Senate Bill No. 54, entitled "An act to create the office of commissioner of charities and corrections and to define his powers and duties,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 55, entitled "An act to repeal the sundry acts respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 57, entitled "An act to repeal sundry acts concerning executors, and administration of intestates' estates,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 69, entitled "An act providing for the appointment and election of an overseer of the poor in cities of this state,

in which the power is not conferred by the charter of such cities, and providing for their compensation,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 71, entitled "An act to amend an act entitled 'An amendment to an act entitled "An act for the punishment of crimes,'" approved June the fourteenth, eighteen hundred and ninety-eight (Revision of 1898)," approved March twenty-second, one thousand nine hundred and one,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

And

Senate Joint Resolution No. 3, entitled "Joint resolution authorizing and providing for the appointment of a commission to investigate and report upon the existing turnpikes, pay or toll roads in this state, with the view of converting the same into free public roads,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Robbins moved that the House concur in Senate Concurrent Resolution No. 2, which was agreed to.

Mr. Pennington moved that the rules be suspended and that the vote by which

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Was advanced to third reading be reconsidered,

And that

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Pennington,

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Was taken up, read a second time, and the following amendment was read and adopted:

In line nine, page one, after the word "expenses," insert "so ascertain and estimated."

On motion of Mr. Pennington,

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Pennington moved that the rules be suspended and that

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Be advanced to third reading and final passage,

Which motion was carried.

On motion of Mr. Pennington,

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendment.

On motion of Mr. Birkholz,

Assembly Bill No. 16, entitled "An act to authorize the transfer of certain parts of public parks, or open spaces, or any interests, easements, or rights of way therein, where the same may be required by any municipality for a water-supply, or other public uses,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Senate Bill No. 23, entitled "A supplement to an act entitled 'An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,'" approved March twenty-sixth, one thousand nine hundred and two.

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Correctly printed.

The Clerk read the following announcements:

There will be a meeting of the Committee on Revision of Laws to-morrow morning at ten o'clock.

LOUIS H. MILLER,
Chairman.

There will be a public meeting of the Committee on Labor and Industries on Tuesday morning, February 28th, after the close of the morning session.

WILLIAM PENNINGTON,
Chairman.

The Committee on Corporations will give a public hearing on

Assembly Bill No. 139, entitled "An act to authorize and regulate corporations for the supply of water in places other than cities,"

At 12 o'clock noon on Wednesday, March 1st.

GEORGE H. DALRYMPLE,
Chairman.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10.30 A. M.

Mr. Birkholz moved that the rules be suspended and that the vote by which

Assembly Bill No. 87, entitled "An act concerning cities,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 87, entitled "An act concerning cities,"

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Birkholz,

Assembly Bill No. 87, entitled "An act concerning cities,"

Was taken up, read a second time, and the following amendment was read and adopted:

Insert in line two, in section one, after the word "city," the following words: "or have a vote in any of their proceedings."

On motion of Mr. Birkholz,

Assembly Bill No. 87, entitled "An act concerning cities,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, February 28th, 1905.

House met at 10:30 o'clock A.M.

Prayer was offered by Rev. S. Foster Grady, of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

Absent—

Messrs. Boucher, Ernst, Henry F. C., Lange, Manners—5.

The minutes of the last meeting were read and approved.

The Clerk read a petition, numerously signed, presented by the Speaker, from the citizens of Glassboro, protesting against the passage of

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Mr. Duffield, on leave, introduced

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duff, on leave, introduced

Assembly Bill No. 227, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),'" approved March twenty-third, nineteen hundred,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 228, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),'" approved March twenty-third, nineteen hundred,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 229, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 230, entitled "An act to amend an act entitled 'An act concerning consolidated cities and annexed municipalities and townships or portions thereof,'" approved March twenty-second, nineteen hundred.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Fordyce,

Assembly Bill No. 123, entitled "An act for the establishment of forest park reservations by and in the state of New Jersey, and for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Hamill, on leave, introduced

Assembly Bill No. 231, entitled "An act to provide for the general assessment and equal taxation of property,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 130, entitled "An act to authorize the erection of a monument on the battlefield of Red Bank, in the county of Gloucester, and to appropriate money to pay the cost thereof,"

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),'" approved March twenty-third, one thousand nine hundred,

Assembly Bill No. 167, entitled "A further supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four.

Assembly Bill No. 191, entitled "An act to incorporate the borough of Audubon, in the county of Camden,"

Assembly Bill No. 16, entitled "An act to authorize the transfer of certain parts of public parks or open spaces, or any interests,

easements or rights of way therein, where the same may be required by any municipality for a water-supply or other public uses,"

And

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Correctly printed.

Mr. Marelli, on leave, introduced

Assembly Bill No. 232, entitled "An act to amend an act entitled 'An act providing for the formation and government of towns,'" approved April twenty-fourth, one thousand eight hundred and eighty-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

On motion of Mr. Elvins,

Assembly Bill No. 184, entitled "An act to incorporate 'Northfield,' in the county of Atlantic, as a city, and fixing the boundaries thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Coyne,

Assembly Bill No. 150, entitled "A supplement to an act entitled 'An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state,' " approved February twentieth, one thousand eight hundred and ninety-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Colby,

Assembly Bill No. 77, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or 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,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt,

Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Colby,

Assembly Bill No. 82, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hulse,

Assembly Bill No. 83, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this state to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hun-

dred and ninety-nine, and to extend the provisions of said act to claims for county taxes,'" approved March twenty-ninth, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee Substitute for

Assembly Bill No. 113, entitled "An act providing for the pensioning of policemen, their widows, orphans or dependent parents,"

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 193, entitled "A supplement to an act entitled 'An act concerning the court of chancery,'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Pennington,

Assembly Bill No. 76, entitled "An act to amend an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,' " approved March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Colby moved that the rules be suspended and that the vote by which

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Was advanced to third reading, be reconsidered, and that

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Colby,

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, read a second time, and the following amendment was read and adopted:

Amend section two, line five, by striking out the words "and exercise police powers over."

On motion of Mr. Colby,

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Barber,

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Was taken up, read a second time, and the following amendments were read and adopted:

Amend section one, line twenty-one, by striking out the words "the proceeds of the sale of such"; by striking out lines twenty-two, twenty-three and twenty-four, and inserting in lieu thereof, after the word "city," in line twenty-one, and before the word "whatever," in line twenty-five the following words:

"And out of the proceeds of the sale thereof the said body having the management and control of the finances of such city shall pay the cost of purchasing said land and erecting said buildings, and the balance, in whole or in part, remaining unexpended after the payments last aforesaid shall be by such body having the management and control of the finances of such city appropriated and paid over to the board of fire commissioners, or other authority entrusted with the government, control and management of the fire department of such city as aforesaid, and by said fire commissioners or other authority expended and applied in and about the equipment of the said buildings with such

appliances and apparatus as may, in their judgment, be necessary and suitable for fire department purposes, and for no other purpose or purposes."

On motion of Mr. Barber,

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 63, entitled "A supplement to an act entitled 'An act concerning villages which have been or shall become separate from the township in which they were or are contained, and which have been or shall be given complete autonomy of local government,' " approved March twenty-eighth, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Assembly Bill No. 13, entitled "An act concerning sidewalks upon and along county roads,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlabch, Loveridge. Mabie, Marelli, Miller, Mills, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever. Wilson, Wright—49.

In the negative were—

Messrs. Fordyce, Martin, Pearce—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hunt (for the Speaker),

Assembly Bill No. 147, entitled "An act to provide for short courses in practical and scientific agriculture in the state agricultural college,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus. Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Layden,

Assembly Bill No. 5, entitled "An act to prohibit the sale, by any person or persons, corporation or corporations, of any potable water from any river or stream, or other fresh water body within this state, to any person or persons, corporation or corporations of any kind without the bounds of the state of New Jersey,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlabch, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—52.

In the negative were—

Messrs. Perkins, Tillman—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Assembly Bill No. 12, entitled "An act concerning roads,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlabch, Loveridge, Mabie, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—52.

In the negative was—Mr. Martin—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

WHEREAS, The hour of twelve o'clock noon having arrived, the time fixed for the joint meeting of both Houses of the Legislature;

Resolved, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber.

Mr. Colby, Chairman of the Committee on Education, reported

Senate Bill No. 43, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Senate Bill No. 45, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

And

Senate Joint Resolution No. 3, entitled "Joint resolution authorizing and providing for the appointment of a commission to investigate and report upon the existing turnpikes, pay or toll roads in this state, with the view of converting the same into free public roads,"

Favorably, without amendment.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 95, entitled "An act to regulate the practice of embalming, burial and disposal of dead human bodies,"

With the following amendments, which were read and adopted:

Amend section three, line fifteen, by adding the letter "s" to the word "examiner," in both places.

Amend section ten, by striking out all after the word "hospital," in line nine, and inserting a period.

The Sergeant-at-Arms announced that the Senate was at the door of the Assembly Chamber.

The Speaker *pro tem.* thereupon directed that the President of the Senate and the Senators be conducted to the seats provided for them.

The House then went into joint session with the Senate.

After the joint session.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

Absent—

Messrs. Boucher, Ernst, Henry F. C., Lange, Manners—5.

Mr. Kaiser, on leave, introduced

Assembly Bill No. 233, entitled "An act for the better protection of game birds,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Hunt moved that the rules be suspended and that the vote by which

Assembly Bill No. 87, entitled "An act concerning cities,"

Was advanced to third reading, be reconsidered, and that

Assembly Bill No. 87, entitled "An act concerning cities,"

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Hunt,

Assembly Bill No. 87, entitled "An act concerning cities,"

Was taken up, read a second time, and the following amendments were read and adopted:

Amend the title by striking out the period after the word "cities" and adding the words "of the second class."

Amend section one, line one, by inserting after the word "city," and before the word "in," the words "of the second class."

Amend section one, line three, by inserting after the word "city," and before the word "where," the words "of the second class."

Insert in section one, line two, before the word "and," the following "except in case of a tie vote when he shall have the right to cast the deciding vote."

On motion of Mr. Hunt,

Assembly Bill No. 87, entitled "An act concerning cities,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 193, entitled "A supplement to an act entitled 'An act concerning the court of chancery,'" approved April third, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pennington,

Assembly Bill No. 95, entitled "An act to regulate the practice of embalming, burial and disposal of dead human bodies,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Senate Bill No. 43, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mills,

Senate Bill No. 45, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Senate Joint Resolution No. 3, entitled "Joint resolution authorizing and providing for the appointment of a commission to investigate and report upon the existing turnpikes, pay or toll roads in this state, with the view of converting the same into free public roads,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Senate Bill No. 23, entitled "A supplement to an act entitled 'An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards,'" approved March twenty-sixth, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge,

Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hamill,

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hamill,

Assembly Bill No. 86, entitled "A supplement to an act entitled 'An act in relation to county expenditures,'" approved April second, one thousand eight hundred and seventy-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill,

Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hulse,

Senate Bill No. 59, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, nineteen hundred and five,'" approved April fifth, nineteen hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Martin,

Assembly Bill No. 119, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Martin,

Assembly Bill No. 120, entitled "An act to amend an act entitled 'An act respecting writs of error (Revision),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

The Clerk read the following announcement:

The Committee on Boroughs and Borough Commissions will give a hearing on the Pitman incorporation bill, at one o'clock, in the Revision of Laws room.

THOMAS E. HUNT,
Chairman.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Senate Bill No. 19, entitled "An act to repeal an act entitled 'An act for the licensing and taxation of foreign corporations,'" approved March twenty-ninth, one thousand nine hundred and four,

Favorably, without amendment.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Assembly Bill No. 172, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof,'" approved March twenty-second, one thousand eight hundred and ninety five, and the several amendments thereto,

With the following amendments, which were read and adopted:

In paragraph two, line one, after the word "suckers," insert the word "eels," and in line two, in same paragraph, after the words "months of" insert "October, November, December, January."

Mr. Fordyce, on leave, introduced

Assembly Bill No. 234, entitled "A further supplement to an act entitled 'An act for the publication of the law and chancery reports (Revision),'" approved February twenty-eighth, one thousand eight hundred and seventy-seven,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

On motion of Mr. Shedaker,

Assembly Bill No. 172, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof,'" approved March twenty-second, one thousand eight hundred and ninety-five, and the several amendments thereto,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Senate Bill No. 19, entitled "An act to repeal an act entitled 'An act for the licensing and taxation of foreign corporations,'" approved March twenty-ninth, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

At the request of Mr. Gibbs, the unanimous consent of the House was given for the withdrawal from the files of

Assembly Bill No. 21, entitled "An act to incorporate the borough of Laurel Springs, in the county of Camden,"

On motion of Mr. Duffield, the House then took a recess until 3:30 o'clock P.M.

AFTERNOON SESSION.

The House reconvened at 3:30 o'clock.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—46.

Absent—

Messrs. Boucher, Callery, Elvins, Fordyce, Hunt, Jones, Kaiser, Lange, Loveridge, Mills, Murphy, Riordan, Shaw—13.

Mr. Alexander offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. J. W. Rufus Besson, a former member of this House from the county of Hudson.

Mr. Wright offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Eugene Emley, a former member of this House from Passaic county.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 162, entitled "Supplement to 'An act to regulate term of office in municipalities,'" approved March twelfth, one thousand eight hundred and eighty,

Favorably, without amendment,

And Committee substitute for

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employes of paid fire departments in cities of the first class in this state,"

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 144, entitled "A supplement to an act entitled 'An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery, and counsellors-at-law,'" approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 178, entitled "Supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, nineteen hundred and three,

And

Senate Bill No. 71, entitled "An act to amend an act entitled 'An amendment to an act entitled "An act for the punishment of crimes,'" approved June the fourteenth, eighteen hundred and ninety-eight (Revision of 1898)," approved March twenty-second, one thousand nine hundred and one,

Favorably, without amendment,

And

Assembly Bill No. 163, entitled "Supplement to the act entitled 'An act concerning disorderly persons' (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,

With the following amendment, which was read and adopted:

In line two, section one, strike out the words "or maliciously interfering with the same," and in line four strike out "fifty," and insert "twenty-five."

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Senate Bill No. 47, entitled 'An act to appropriate money for the erection of a memorial monolith, commemorative of the state of New Jersey as one of the thirteen original states, to be placed in the memorial portico of the memorial continental hall, about to be erected in the city of Washington, in the District of Columbia, under the auspices of the Daughters of the American Revolution,"

Favorably, without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 169, entitled "An act to repeal an act entitled 'An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,' " approved April fifth, nineteen hundred and four,

Assembly Bill No. 179, entitled "An act to amend an act entitled 'An act respecting orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision of 1898),' "

Assembly Bill No. 199, entitled "Supplement to an act entitled 'An act for the relief of creditors against absent, fraudulent and absconding debtors,' " approved March twentieth, one thousand nine hundred and one,

And

Senate Bill No. 65, entitled "An act to provide for the appointment of a commission to revise and codify the laws of this state relative to corporations,"

Favorably, without amendment.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 235, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Coyne, on leave, introduced

Assembly Bill No. 236, entitled "Supplement to an act entitled 'An act concerning firemen's relief associations,'" approved March twenty-fifth, one thousand eight hundred and eighty-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Scott, on leave, introduced

Assembly Bill No. 237, entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

On motion of Mr. Shaw,

Assembly Bill No. 162, entitled "Supplement to 'An act to regulate term of office in municipalities,'" approved March twelfth, one thousand eight hundred and eighty,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Assembly Bill No. 144, entitled "A supplement to an act entitled 'An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery, and counsellors-at-law,'" approved March twenty-eighth, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mills,

Assembly Bill No. 178, entitled "Supplement to an act entitled 'An act for the assessment and collection of taxes," approved April eighth, nineteen hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Ernst,

Assembly Bill No. 163, entitled "Supplement to the act entitled 'An act concerning disorderly persons' (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. F. C. Henry,

Assembly Bill No. 169, entitled "An act to repeal an act entitled 'An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,'" approved April fifth, nineteen hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mills,

Assembly Bill No. 179, entitled "An act to amend an act entitled 'An act respecting orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision of 1898),'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 199, entitled "Supplement to an act entitled 'An act for the relief of creditors against absent, fraudulent and absconding debtors,'" approved March twentieth, one thousand nine hundred and one,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Barber,

Senate Bill No. 71, entitled "An act to amend an act entitled 'An amendment to an act entitled "An act for the punishment of crimes,'" approved June the fourteenth, eighteen hundred and ninety-eight (Revision of 1898)," approved March twenty-second, one thousand nine hundred and one,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duff,

Senate Bill No. 47, entitled "An act to appropriate money for the erection of a memorial monolith, commemorative of the state of New Jersey as one of the thirteen original states, to be placed in the memorial portico of the memorial continental hall, about to be erected in the city of Washington, in the District of Columbia, under the auspices of the Daughters of the American Revolution,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Senate Bill No. 65, entitled "An act to provide for the appointment of a commission to revise and codify the laws of this state relative to corporations,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 209, entitled "An act to amend an act entitled 'An act for the relief of executors, administrators and assignees,' " approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly bill No. 185, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Assembly Bill No. 186, entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state," ' approved April first, one thousand nine hundred and three," which said supplement was approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 187, entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act to provide for the control and operation of roads and bridges owned or claimed to be owned by any plank-road company whose charter has expired or may expire," ' approved March twenty-second, one thousand nine hundred and one," which further supplement was approved March twenty-eighth, one thousand nine hundred and four,

Favorably, without amendment.

On motion of Mr. Gallagher,

Committee substitute for

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Kaiser, Layden, Lehlbach, Manners, Marelli, Martin, Mattheus, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Alexander,

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Coyne,

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scovel,

Assembly Bill No. 191, entitled "An act to incorporate the borough of Audubon, in the county of Camden,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Free Public Library Newark, New Jersey

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scovel,

Assembly Bill No. 209, entitled "An act to amend an act entitled 'An act for the relief of executors, administrators and assignees,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Manners,

Assembly Bill No. 186, entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, one thousand nine hundred and three," which said supplement was approved April seventh, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Manners,

Assembly Bill No. 185, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Manners,

Assembly Bill No. 187, entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act to provide for the control and operation of roads and bridges owned or claimed to be owned by any plank-road company whose charter has expired or may expire," approved March twenty-second, one thousand nine hundred and one,'" which further supplement was approved March twenty-eighth, one thousand nine hundred and four,

Were taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 167, entitled "A further supplement to an act entitled 'An act making appropriations for the support of the

state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,' " approved April fifth, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
February 28, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

With Senate amendments,

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Speaker put the question shall the Senate amendment to

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Have a third reading.

Which was agreed to.

Mr. Miller moved that the rules be suspended and that Senate amendments to

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Be concurred in.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Buck, Coyne, De Cou, Duff, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Mabie, Martin, Perkins, Reed, Robbins, Scovel, Shedaker, Tillman, Van Derveer, Willever, Wright—26.

In the negative were—

Messrs. Alexander, Birkholz, Dalrymple, Duffield, Gallagher, Johnstone, Layden, Lehlbach, Manners, Marelli, Miller, Pennington, Scott, Taylor, Wildrick, Wilson—16.

The Speaker thereupon declared the motion lost.

Mr Duffield moved that the House request a conference with the Senate on the Senate amendments to

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

On which motion, the ayes and nays being called, was lost by the following vote:

In the affirmative were—

Messrs. Alexander, Barber, Birkholz, Dalrymple, Gallagher, Johnstone, Layden, Lehlbach, Manners, Marelli, Pennington, Scott, Taylor, Wildrick, Wilson—15.

In the negative were—

Messrs. Avis (Speaker), Baker, Buck, Coyne, De Cou, Duff, Duffield, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Mabie, Miller, Perkins, Reed, Robbins, Scovel, Shedaker, Tillman, Willever, Wright —25.

Mr. Duffield moved the reconsideration of the vote by which his motion requesting a conference with Senate on Senate amendments to

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Was lost.

Which motion was lost.

Mr. Miller moved to reconsider the vote by which his motion to concur in the Senate amendments to

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five,"

Was lost.

Which motion, the ayes and nays being called, was carried by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Coyne, Dalrymple, De Cou, Duffield, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Layden, Lehlbach, Mabie, Martin, Miller, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Tillman, Wildrick, Willever, Wright—33.

In the negative were—

Messrs. Duff, Gallagher, Johnstone, Manners, Marelli, Pennington, Taylor, Wilson—8.

Which motion was carried.

Mr. Miller moved that the House concur in Senate amendments to

Assembly Bill No. 118, entitled "An act to enable the state of New Jersey to take part in the inaugural parade at Washington,

District of Columbia, on March fourth, one thousand nine hundred and five,"

Which motion, the ayes and nays being called, was carried by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Buck, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Gibbs, Hamill, Heck, Hildreth, Hoagland, Hulse, Layden, Lehlbach, Mabie, Martin, Miller, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Tillman, Wildrick, Willever Wright—32.

In the negative were—

Messrs. Birkholz, Gallagher, Johnstone, Manners, Marelli, Pennington, Taylor, Wilson—8.

Ordered, that the Speaker sign the said amendments, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same.

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Favorably, without amendment.

Mr. Johnstone, on leave, introduced

Assembly Bill No. 238, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved June thirteenth one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Duffield, on leave, introduced

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Which was read for the first time by its title, ordered to have a second reading, and the Speaker announced that said bill would be referred to a committee later.

Mr. Duffield offered the following resolution, which was read and by consent action was deferred until Wednesday morning, March 1st, 1905:

Resolved, That the attorney-general be and he hereby is requested, at his early convenience, to advise the House of Assembly whether, in his opinion, Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company, and to provide for the disposal of the property of said company," is constitutional, and wherein the aforesaid bill differs from the bill reported by the commissioners heretofore appointed under concurrent resolution of March 31, 1903, to investigate and report upon the abandonment of navigation of the Morris canal.

And that he be requested furthermore, to advise the Legislature whether, in his opinion, the said bill affords adequate protection to the interests of the State in the Morris canal, and if, in his opinion, said bill does not afford adequate protection to the State's interest therein, what amendment or amendments should be made thereto in order to afford such protection.

The Clerk read the following announcements:

There will be a public hearing on

Assembly Bill No. 38, entitled "An act for the licensing of stationary engineers, for the protection of life and property against loss or damage from the operation of steam boilers or steam engines by incompetent persons,"

Known as the "Stationary Engineers' Bill," on Wednesday, March 8th, at the close of the morning session.

WILLIAM PENNINGTON,
Chairman.

There will be a public hearing on

Assembly Bill No. 188, entitled "A supplement to an act entitled 'An act relating to information in the nature of a quo warranto (Revision of 1903),'" approved April eighth, nineteen hundred and three,

In the rooms of the Judiciary Committee on Monday next, March 6th, at 3 P. M.

EDWARD D. DUFFIELD,
Chairman.

There will be a public hearing on

Assembly Bill No. 189, entitled "An act to revise and amend an act entitled 'An act for the taxation of all property and fran-

chises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto,' " which act was approved March twenty-third, nineteen hundred, and the supplements and amendments thereto,

In the rooms of the Judiciary Committee on Monday next, March 6th, at 4 P. M.

EDWARD D. DUFFIELD,
Chairman.

There will be a public hearing on

Assembly Bill No. 231, entitled "An act to provide for the general assessment and equal taxation of property,"

In the Assembly Chamber on Tuesday next, March 7th, at 2 P. M.

EDWARD D. DUFFIELD,
Chairman.

There will be a public hearing on

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

In the Assembly Chamber on Tuesday next, March 7th, at 1.30 P. M.

EDWARD D. DUFFIELD,
Chairman.

Mr. Duffield offered he following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10.30 o'clock.

On motion of Mr. Duffield, the House then adjourned.

WEDNESDAY, March 1st, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. Courtlandt Patterson Butler, of Lakewood, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

Absent—

Messrs. Boucher, Colby, Duff, Gallagher, Johnstone, Kaiser, Lange, Mabie, Manners, Pennington, Tillman, Wilson—12.

The minutes of the last meeting were read and approved.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state,' " approved Apri third, one thousand nine hundred and two,

With the following amendment, which was read and adopted:

Amend line eighteen, by substituting for the words "three thousand five hundred," the words "five thousand."

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Favorably, without amendment.

On motion of Mr. Miller,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Scovel, for the Speaker,

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state,' " approved April third, one thousand nine hundred and two,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Was taken up, and, under suspension of the rules, was read a third time by its title.

Mr. Hamill moved that the rules be suspended, and that the vote by which

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Was advanced to third reading, be reconsidered, and

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Be placed back on second reading for amendment.

Upon which motion, the ayes and nays being called, was lost by the following vote:

In the affirmative were—

Messrs. Alexander, Buck, Callery, Coyne, Ernst, Gibbs, Hamill, Jones, Loveridge, Mattheus, Murphy, Riordan, Robbins. Scovel, Shedaker, Wildrick—16.

In the negative were—

Messrs. Baker, Barber, Birkholz, Dalrymple, De Cou, Duffield, Elvins, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Layden, Lehlbach, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Shaw, Van Derveer, Wright—26.

The Speaker thereupon declared the motion lost.

The question then recurring on the passage of

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Said bill was passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth. Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins,, Scott Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 1st, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Assembly Bill No. 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden,"

Without amendment;

And

Senate Bill No. 7, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents, in towns, townships and 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 assessment,'" approved May eighteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 8, entitled "A supplement to an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Senate Bill No. 9, entitled "An act to amend an act entitled 'An act concerning corporations (Revision of 1896),'" approved April twenty-first, one thousand eight hundred and ninety-six,

Senate Bill No. 27, entitled "An act to incorporate the borough of Norwood, in the county of Bergen,"

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,'" approved March seventh, one thousand eight hundred and ninety-three,

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,'"

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Senate Bill No. 86, entitled "An act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities,"

And

Senate Bill No. 94, entitled "An act to extend the territorial boundaries of borough of Sea Isle City, in the county of Cape May and state of New Jersey, by the annexation of portions of the townships of Dennis and Upper,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 7, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents, in towns, townships and 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 assessment,'" approved May eighteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Senate Bill No. 8, entitled "A supplement to an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title. ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 9, entitled "An act to amend an act entitled 'An act concerning corporations (Revision of 1896),'" approved April twenty-first, one thousand eight hundred and ninety-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 27, entitled "An act to incorporate the borough of Norwood, in the county of Bergen,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,' " approved March seventh, one thousand eight hundred and ninety-three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,' "

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 86, entitled "An act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 94, entitled "An act to extend the territorial boundaries of borough of Sea Isle City, in the county of Cape May and state of New Jersey, by the annexation of portions of the townships of Dennis and Upper,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

On motion of Mr. F. C. Henry,

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield moved that five hundred extra copies of

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Be ordered printed.

Which motion was carried.

Mr. Duffield moved that the resolution offered by him relative to referring

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company"

To the Attorney-General for his opinion as to its constitutionality be adopted.

Upon which motion, the ayes and nays being called, was carried by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Coyne, Dalrymple, De Cou, Duffield, Fordyce, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt,

Jones, Layden, Lehlbach, Marelli, Martin, Miller, Pearce, Perkins, Robbins, Scovel, Shaw, Taylor, Van Derveer, Wright—31.

In the negative were—

Messrs. Baker, Callery, Elvins, Ernst, Hamill, Loveridge, Mattheus, Mills, Murphy, Reed, Shedaker—11.

The Speaker thereupon declared the motion carried, and the resolution adopted.

On motion of Mr. Birkholz,

Assembly Bill No. 16, entitled "An act to authorize the transfer of certain parts of public parks or open spaces, or any interests, easements or rights of way therein, where the same may be required by any municipality for a water-supply or other public uses,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Senate Bill No. 40, entitled "A supplement to an act entitled 'An act concerning district courts'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Loveridge, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendment.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

Absent—

Messrs. Boucher, Colby, Duff, Gallagher, Johnstone, Kaiser, Lange, Mabie, Manners, Pennington, Tillman, Wilson —12.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Assembly Bill No. 87, entitled "An act concerning cities,"

Assembly Bill No. 95, entitled "An act to regulate the practice of embalming, burial and disposal of dead human bodies,"

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Assembly Bill No. 162, entitled "Supplement to 'An act to regulate term of office in municipalities,'" approved March twelfth, one thousand eight hundred and eighty,

Assembly Bill No. 163, entitled "Supplement to the act entitled 'An act concerning disorderly persons' (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 169, entitled "An act to repeal an act entitled 'An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,'" approved April fifth, nineteen hundred and four,

Assembly Bill No. 172, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof,'" approved March twenty-second, one thousand eight hundred and ninety-five, and the several amendments thereto,

Assembly Bill No. 178, entitled "Supplement to an act entitled 'An act for the assessment and collection of taxes," approved April eighth, nineteen hundred and three,

Assembly Bill No. 179, entitled "An act to amend an act entitled 'An act respecting orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision of 1898),'"

Assembly Bill No. 185, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Assembly Bill No. 186, entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state,"' approved April first, one thousand nine hundred and three," which said supplement was approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 187, entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act to provide for the control and operation of roads and bridges owned or claimed to be owned by any plank-road company whose char-

ter has expired or may expire,"' approved March twenty-second, one thousand nine hundred and one," which further supplement was approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 193, entitled "A supplement to an act entitled 'An act concerning the court of chancery,'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 199, entitled "Supplement to an act entitled 'An act for the relief of creditors against absent, fraudulent and absconding debtors,'" approved March twentieth, one thousand nine hundred and one,

Assembly Bill No. 209, entitled "An act to amend an act entitled 'An act for the relief of executors, administrators and assignees,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

And

Senate Bill No. 15, entitled "An act to amend an act entitled 'An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water,'" approved February twenty-fifth, one thousand eight hundred and ninety-two,

With Assembly amendments.

Correctly printed.

Mr. De Cou presented a communication from Windsor Grange, No. 40, Patrons of Husbandry, Windsor, New Jersey, petitioning the abolition of the fee system in connection with the offices of Sheriff, County Clerk, Surrogate and other offices throughout the State, and asking that all such offices be placed on a salary basis.

Mr. Hulse offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Eckford Moore, a former member of this House from Mercer county.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That 50 additional Legislative Manuals for the year 1905 be provided, to meet the deficiency in the supply for the officers of the House.

On motion of Mr. Reed,

Senate Bill No. 30, entitled "An act for the regulation, protection and control of the planting, cultivating and the gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Duffield,

Assembly Bill No. 91, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize municipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and eighty-one,' " which supplement was approved April seventeenth, one thousand eight hundred and eighty-four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin,

Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

The Speaker announced that he would refer

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

To the Committee on Municipal Corporations.

The Clerk read the following announcements:

The Committee on Corporations will meet immediately after adjournment.

GEORGE H. DALRYMPLE,
Chairman.

There will be a meeting of the Committee on Municipal Corporations immediately after adjournment and will give a public hearing on

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

On Wednesday, March 8th, at 1:30 o'clock.

HENRY S. SCOVEL,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2.30 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher. Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

Absent—

Messrs. Colby, Duff, Gallagher, Hildreth, Johnstone, Kaiser, Lange, Mabie, Manners, Mattheus, Pennington, Tillman, Wilson—13.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 93, entitled "An act relating to the water supply of cities,"

Favorably, with the following amendments,

Which were read and adopted:

Amend Assembly Bill No. 93, by striking out in section three, line nine, the words "on with the vendor," and inserting in lieu thereof the words "by the said authorities of such city, and to issue and sell bonds secured by such mortgage."

Amend section two by inserting at the beginning thereof the words "this act shall not repeal any other act authorizing any municinpality to issue and sell bonds for any municipal purpose."

Mr. Riordan, on leave, introduced

Assembly Bill No. 240, entitled "An act providing for the purchase, establishment and maintenance of electric light and power sites and plants, for the operation thereof, for the supplying of electric light and power, for paying the expenses thereof, and for the regulation of such sites, plants and supplies,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Buck, on leave, introduced

Assembly Bill No. 241, entitled "An act to amend an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),' " approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. F. C. Henry, on leave, introduced

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,' approved March twenty-first, one thousand eight hundred and ninety-five,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Duff,

Assembly Bill No. 93, entitled "An act relating to the water supply of cities,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 1, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 109, entitled "An act concerning the filling of vacancies in elective offices in cities of the third class,"

Without amendment,

And

Senate Bill No. 26, entitled "An act to incorporate the borough of Orvil, in the county of Bergen,"

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 26, entitled "An act to incorporate the borough of Orvil, in the county of Bergen,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Shedaker,

Assembly Bill No. 172, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof,' " approved March twenty-second, one thousand eight hundred and ninety-five, and the several amendments thereto,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 149, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to ensure the better education of such practitioners, and to ensure better sanitary conditions in barber shops, and to authorize boards of headth to co-operate in securing such conditions, and to prevent the spreading of contagious or infectious diseases in the state of New Jersey,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Callery, Coyne, Dalrymple, De Cou, Duffield, Ernst, Fordyce, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Jones, Layden, Lehlbach, Loveridge, Marelli, Mills, Reed, Scott, Scovel, Shaw, Taylor, Van Derveer, Willever, Wright—21.

In the negative were—

Messrs. Alexander, Boucher, Buck, Elvins, Gibbs, Hunt, Martin, Miller, Murphy, Pearce, Perkins, Riordan, Robbins, Shedaker, Wildrick—15.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Governor by the hands of his Secretary, as follows:

EXECUTIVE DEPARTMENT,
TRENTON, March 1st, 1905.

To the Speaker and Members of the House of Assembly:

I herewith transmit the report of the action of the Commissioners appointed under Joint Resolution of the State of New Jersey, approved February 14th, 1905, and the Commissioners representing the State of Delaware, for the purpose of framing a compact between the said States and legislative action thereon, looking to an amicable termination of the suit between the two States now pending in the Supreme Court of the United States and a final adjustment of all controversy relating to the boundary line between this State and Delaware, and to their respective rights in the Delaware river and bay.

This report, covering the compact agreed upon by the Commissioners of the States of New Jersey and Delaware, and a proposed bill to make the same effective, is respectfully submitted for your consideration and action.

E. C. STOKES.

AN ACT to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay and to authorize the execution thereof.

WHEREAS, By joint resolution of the legislature of the state of New Jersey, approved February fourteenth, one thousand nine hundred and five, Edward C. Stokes, governor, Robert H. McCarter, attorney-general, Franklin Murphy and Chauncey G. Parker, were appointed and constituted commissioners of the state of New Jersey to confer with like commissioners representing the state of Delaware for the purpose of framing a compact or agreement between the said states and legislation consequent thereon, to be submitted to the legislatures of the said two states for action thereon looking to the amicable termination of the suit between said two states now pending in the supreme court of the United States, and the final adjustment of all controversies relating to the boundary line between said states and to their respective rights in the Delaware river and bay; and

WHEREAS, By like joint resolution of the general assembly of the state of Delaware, approved February thirteenth, one thousand nine hundred and five, Preston Lea, governor, Robert H. Richards, attorney-general, Herbert H. Ward and George H. Bates, were appointed to represent the said state as commissioners to confer with the commissioners of the state of New Jersey for the purpose before recited; and

WHEREAS, The commissioners of the said two states having duly conferred as directed by said resolution, have framed and submitted to this legislature a proposed compact or agreement between the said states; and

WHEREAS, The compact or agreement so framed and submitted is in the words following, that is to say:

COMPACT BETWEEN THE STATE OF NEW JERSEY AND THE STATE OF DELAWARE RELATING TO THE BOUNDARY CONTROVERSY BETWEEN SAID STATES.

WHEREAS, A controversy hath heretofore existed between the states of New Jersey and Delaware, relative to the jurisdiction of such portion of the Delaware river as is included within the

circle of twelve miles radius, an arc of which constitutes the northern boundary of the state of Delaware, and it is the mutual desire of said states to so settle and determine such controversy as to prevent future complications arising therefrom; and

WHEREAS, There is now pending in the supreme court of the United States, a cause wherein the said state of New Jersey is the complainant and the said state of Delaware is the defendant, in which cause an injunction has been issued against the state of Delaware restraining the execution of certain statutes of the state of Delaware relating to fisheries in said river, which said litigation hath been pending for twenty-seven years and upwards; and

WHEREAS, For the purpose of adjusting the differences between the said two states arising out of said conflict of jurisdiction, Edward C. Stokes, Robert H. McCarter, Franklin Murphy and Chauncey G. Parker, have been appointed commissioners on the part of the state of New Jersey by joint resolution of the legislature of said state, and Preston Lee, Robert H. Richards, Herbert H. Ward and George H. Bates have been appointed commissioners on the part of the state of Delaware, by joint resolution of the general assembly of said state, to frame a compact or agreement between the said states, and legislation consequent thereon, to be submitted to the legislatures of said two states for action thereon, looking to the amicable termination of the said suit between said states now pending in the supreme court of the United States, and the final adjustment of all controversies relating to the boundary line between said states, and to their respective rights in the Delaware river and bay;

Now Therefore, the said state of New Jersey, by its commissioners above named, and the said state of Delaware, by its cimmissioners above named, do hereby make and enter into a compact or agreement between said states as follows:

ARTICLE I. Criminal process issued under the authority of the state of New Jersey against any person accused of an offense committed upon the soil of said state, or upon the eastern half of said Delaware river, or committed on board of any vessel being under the exclusive jurisdiction of that state and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any portion of the Delaware river between said states from low water mark on the New Jersey shore to low water mark on the Delaware shore, except upon Reedy and Pea Patch islands, unless said person or property shall be on board a vessel aground upon or fastened to the shore of the state of Delaware, or the shores of

said islands, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest or such property shall be under seizure by virtue or process or authority of the state of Delaware.

ARTICLE II. Criminal process issued under the authority of the state of Delaware against any person accused of an offense committed upon the soil of said state, or upon the western half of said Delaware river, or committed on board of any vessel being under the exclusive jurisdiction of that state, and also civil process issued under the authority of the state of Delaware against any person domiciled in that state, or against property taken out of that state to evade the laws thereof, may be served upon any portion of the Delaware river between said states from low water mark on the Delaware shore to low water mark on the New Jersey shore, unless said person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure by virtue of process or authority of the state of New Jersey.

ARTICLE III. The inhabitants of the said state of Delaware and New Jersey shall have and enjoy a common right of fishery throughout, in and over the waters of said river between the low water marks on each side of said river between the said states, except so far as either state may have heretofore granted valid and subsisting private rights of fishery.

ARTICLE IV. Immediately upon the execution hereof the legislature of the state of New Jersey shall appoint three commissioners to confer with three commissioners to be immediately appointed by the general assembly of the state of Delaware for the purpose of drafting uniform laws to regulate the catching and taking of fish in the Delaware river and bay between said two states, which said commissioners for each state respectively shall, within two years from the date of their appointment, report to the legislature of each of said states the proposed laws so framed and recommended by said joint commission. Upon the adoption and passage of said laws so recommended by the respective legislatures of said two states, said laws shall constitute the sole laws for the regulation of the taking and catching of fish in the said river and bay between said states. Said laws shall remain in force until altered, amended or repealed by concurrent legislation of the said two states. Said commissioners shall also ascertain the dividing line between said river and bay and upon each of the shores of said two states where said dividing line extended shall intersect the same shall, at the joint expense of said states,

erect a suitable monument to mark the said dividing line. Said dividing line between said monuments shall be the division line between the said river and bay for the interpretation of and for all purposes of this compact, and of the concurrent legislation provided for therein.

The faith of the said contracting states is hereby pledged to the enactment of said laws so recommended by said commissioners, or to such concurrent legislation as may seem judicious and proper in the premises to the respective legislatures thereof.

Each state shall have and exercise exclusive jurisdiction within said river to arrest, try and punish its own inhabitants for violations of the concurrent legislation relating to fishery herein provided for.

ARTICLE V. All laws of said states relating to the regulation of fisheries in the Delaware river not inconsistent with the right of common fishery hereinabove mentioned, shall continue in force in said respective states until the enactment of said concurrent legislation as herein provided.

ARTICLE VI. Nothing herein contained shall effect the planting, catching or taking of oysters, clams or other shell fish, or interfere with the oyster industry as now or hereafter carried on under the laws of either state.

ARTICLE VII. Each state may on its own side of the river continue to exercise riparian jurisdiction of every kind and nature, and to make grants, leases and conveyances of riparian lands and rights under the laws of the respective states.

ARTICLE VIII. Nothing herein contained shall affect the territorial limits, rights or jurisdiction of either state of, in or over the Delaware river, or the ownership of the sub-aqueous soil thereof, except as herein expressly set forth.

ARTICLE IX. This agreement shall be executed by the said commissioners when authorized to do so by the legislature of the said states. It shall thereupon be submitted to congress for its consent and approval. Upon the ratification thereof by congress it shall be and become binding in perpetuity upon both of said states; and thereupon the suit now pending in the supreme court of the United States, in which the state of New Jersey is complainant and the state of Delaware is defendant, shall be discontinued, without costs to either party and without prejudice. Pending the ratification hereof by congress said suit shall remain in *statu quo*.

Done in two parts (one of which is retained by the commissioners of Delaware, to be delivered to the governor of that state, and the other one of which is retained by the commissioners of

New Jersey, to be delivered to the governor of that state) this day of in the year of our Lord one thousand nine hundred and five.

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

Section 1. The foregoing compact or agreement, and every clause, matter and thing therein contained be, and the same is hereby adopted, ratified and confirmed as and for the act and deed of the sate of New Jersey, and the commissioners of the said state are hereby authorized and empowered on its behalf to execute the same in duplicate, and to deliver one copy thereof to the commissioners of the state of Delaware.

Section 2. It shall be the duty of the governor at or before the next session of the congress of the United States, to transmit a duly certified copy of this act to the president of the United States, with the request that it be communicated to congress for its action thereon.

Section 3. This act shall take effect immediately.

The Governor's message was then taken up, which, together with the accompanying report, was, on motion of Mr. Duffield, referred to the Committee on Judiciary.

Mr. Duffield offered the following concurrent resolution, which was read and unanimously adopted:

CONCURRENT RESOLUTION on the death of Richard A. Donnelly, Quartermaster-General of the State of New Jersey.

WHEREAS, Richard A. Donnelly, Quartermaster-General of the State of New Jersey, died in the city of Trenton, on February twenty-seven, one thousand nine hundred and five; and

WHEREAS, For fifteen years, General Donnelly gave loyal and intelligent service to this State as Quartermaster-General; and

WHEREAS, His service to his country as a volunteer in the Civil War, his devotion to public duty, his sterling worth as a man commend him to the commonwealth as having been a fine type of American citizenship;

Resolved (the Senate concurring), That the Legislature of New Jersey deplores the loss the State sustains in General Donnelly's death; and

Resolved, That the Legislature extends its sympathy and condolence to the bereaved family; and

Resolved, That a copy of this resolution be sent to the widow of the deceased.

On motion of Mr. Martin,

Assembly Bill No. 125, entitled "An act to enable townships in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use, and for the maintenance and operation thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Jones, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Perkins, Riordan, Robbins, Scott, Scovel, Taylor, Wright—34.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scovel,

Assembly Bill No. 209, entitled "An act to amend an act entitled 'An act for the relief of executors, administrators and assignees,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mills,

Assembly Bill No. 178, entitled "Supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, nineteen hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mills,

Assembly Bill No. 179, entitled "An act to amend an act entitled 'An act respecting orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision of 1898),'"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Riordan, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright—41.

In the negative—

Messrs. Hunt, Perkins—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 144, entitled "A supplement to an act entitled 'An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery, and counsellors-at-law,'" approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

And

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state,'" approved April third, one thousand nine hundred and two,

With Assembly amendments.

Correctly printed.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 69, entitled "An act providing for the appointment and election of an overseer of the poor in cities of this state, in which the power is not conferred by the charter of such cities, and providing for their compensation,"

Favorably, without amendment.

Mr. Reed moved that the rules be suspended and that

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state,' " approved April third, one thousand nine hundred and two,

With Assembly amendments, be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Reed,

Senate Bill No. 2, entitled "A supplement to an act entitled 'An act to provide for assistant prosecutors in the several counties of this state,' " approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright —44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Robbins,

Senate Bill No. 69, entitled "An act providing for the appointment and election of an overseer of the poor in cities of this state,

in which the power is not conferred by the charter of such cities, and providing for their compensation,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Robbins moved that the rules be suspended, and that

Senate Bill No. 69, entitled "An act providing for the appointment and election of an overseer of the poor in cities of this state, in which the power is not conferred by the charter of such cities, and providing for their compensation,"

Be advanced to third reading and final passage,

Which motion was carried.

On motion of Mr. Robbins,

Senate Bill No. 69, entitled "An act providing for the appointment and election of an overseer of the poor in cities of this state, in which the power is not conferred by the charter of such cities, and providing for their compensation,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Senate Bill No. 26, entitled "An act to incorporate the borough of Orvil, in the county of Bergen,"

Senate Bill No. 27, entitled "An act to incorporate the borough of Norwood, in the county of Bergen,"

Favorably, without amendment.

Mr. Scovel moved that

Assembly Bill No. 140, entitled "An act to repeal 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,'" approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto,

Be committed to the Committee on Municipal Corporations,

Which motion was carried.

On motion of Mr. Ernst,

Assembly Bill No. 163, entitled "Supplement to the act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Murphy, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright —44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Heck,

Senate Bill No. 26, entitled "An act to incorporate the borough of Orvil, in the county of Bergen,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 27, entitled "An act to incorporate the borough of Norwood, in the county of Bergen,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet on Friday morning at 10 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 131, entitled "An act relating to county detectives in counties of the first class,"

Favorably, without amendment.

On motion of Mr. Duffield,

Assembly Bill No. 131, entitled "An act relating to county detectives in counties of the first class,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield, the House then adjourned.

FRIDAY, March 3d, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. Hulse, Speaker *pro tem.,* in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening, at 8 o'clock.

MONDAY, March 6th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. C. W. Twing, of Haledon, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—54.

Absent—

Messrs. Henry G. C., Kaiser, Perkins, Tillman, Wilson—5.

The minutes of the last meeting were read and approved.

Mr. Wildrick offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Lewis F. Iliff, a former member of this House.

Mr. Elvins offered the following resoluion, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Frederick Schuchardt, from the county of Atlantic, a former member of this House.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 243, entitled "A supplement to an act entitled 'An act relative to the supreme and circuit courts'" (Revision of 1900), approved March twenty-third, one thousand nine hundred,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duffield, on leave, introduced

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 245, entitled "An act to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hildreth, by request, on leave, introduced

Assembly Bill No. 246, entitled "An act to incorporate the borough of Cape May and fix the boundaries thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Buck, on leave, introduced

Assembly Bill No. 247, entitled "An act prohibting persons not members of secret societies or other organizations from wearing the badge or uniform of such orders or organizations and prescribing penalties for the violation of the provisions thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Militia.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 93, entitled "An act relating to the water supply of cities,"

Assembly Bill No. 131, entitled "An act relating to county detectives in counties of the first class,"

Correctly printed.

Mr. Duff moved that

Assembly Bill No. 93, entitled "An act relating to the water supply of cities,"

Be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

Which motion was carried.

On motion of Mr. Layden,

Committee Substitute for

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employes of paid fire departments in cities of the first class in this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Scott,

Committee substitute for

Assembly Bill No. 113, entitled "An act providing for the pensioning of policemen, their widows, orphans or dependent parents,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Loveridge, on leave, introduced

Assembly Bill No. 249, entitled "An act to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded and where the grantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Mattheus, on leave, introduced

Assembly Bill No. 250, entitled "An act creating a commission to investigate the condition of certain marshes in the vicinity

of Arthur Kill and Newark Meadows, as affecting the public health, or the property values and other interests of the city of Newark, Arthur Kills and Newark Meadows,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

On motion of Mr. Hildreth,

Assembly Bill No. 144, entitled "A supplement to an act entitled 'An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery, and counsellors-at-law,' " approved March twenty-eighth, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Buck, Callery, Coyne, Dalrymple, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Reed, Riordan, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Heck,

Senate Bill No. 26, entitled "An act to incorporate the borough of Orvil, in the county of Bergen,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Loveridge, Mabie, Marelli, Mar-

tin, Mattheus, Miller, Mills, Murphy, Reed, Riordan, Scott, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—44.

In the negative was—Mr. Shaw—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Heck,

Senate Bill No. 27, entitled "An act to incorporate the borough of Norwood, in the county of Bergen,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Reed, Riordan, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Miller,

Assembly Bill No. 199, entitled "Supplement to an act entitled 'An act for the relief of creditors against absent, fraudulent and absconding debtors,'" approved March twentieth, one thousand nine hundred and one,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Loveridge, Mabie, Manners,

Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Reed, Riordan, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Heck,

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-first, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved (the Senate concurring), That the Governor be requested to return to the House of Assembly, Assembly Bill No. 48, for further consideration.

On motion of Mr. Barber,

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Assembly Bill No. 37, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed Robbins, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee Substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 235, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably with the following amendment, which was read and adopted:

Amend section one, line three, inserting after the word "inhabitants" the words "and not more than one hundred and fifty thousand inhabitants."

Mr. Duffield moved that five hundred extra copies of

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company."

Be ordered printed,

Which motion was carried.

Mr. Marelli, on leave, introduced

Assembly Bill No. 251, entitled "An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this state, and to provide for the payment of the expense of the same,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Commerce and Navigation.

Mr. Barber, on leave, introduced

Assembly Bill No. 252, entitled "A supplement to an act entitled 'An act authorizing cities of this state to extend existing

water-works owned by such cities, and to issue bonds for the cost of such extension,' " approved March twenty-second, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Scovel, on leave, introduced

Assembly Bill No. 253, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),' "

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

Mr. Pearce offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Adolf Ernest, a former member of this House.

On motion of Mr. F. C. Henry,

Assembly Bill No. 169, entitled "An act to repeal an act entitled 'An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,' " approved April fifth, nineteen hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Coyne,

Assembly Bill No. 156, entitled "An act to repeal an act entitled 'An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand,'" approved April seventh, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Manners, Marelli, Mattheus, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wright—41.

In the negative were—

Messrs. Fordyce, Martin—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel moved that the rules be suspended and that the vote by which

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was advanced to third reading be reconsidered, and

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Scovel,

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, and the following amendment was read and adopted:

Strike out the word "defeasible" in line six and insert the word "valid" in place therein.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

On motion of Mr. Pennington,

Assembly Bill No. 95, entitled "An act to regulate the practice of embalming, burial and disposal of dead human bodies,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Henry F. C., Hildreth, Hoagland, Hulse, Jones, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Mattheus, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Taylor, Van Derveer, Wright—40.

In the negative were—

Messrs. Gibbs, Hunt, Martin—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 6, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has concurred in the following resolution:

"*Resolved* (the Senate concurring), That the Governor be requested to return to the House of Assembly Assembly Bill No. 48 for further consideration,"

And also passed the following:

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 32, entitled "An act respecting sewers and sewer connections in incorporated towns of this state,"

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Assembly Bill No. 107, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish standard packages for cranberries,"' approved March twenty-third, one thousand eight hundred and eighty," which supplement was approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Without amendment.

And

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

With Senate amendments.

Senate Bill No. 18, entitled "A supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this state,'"

Senate Bill No. 58, entitled "An act concerning corporations of this state organized for religious, educational, charitable or benevolent purposes,"

Senate Bill No. 63, entitled "An act to amend an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 85, entitled "An act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three,

Senate Bill No. 99, entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks and streams of this state, and to prevent the waters thereof from being carried by pipes, conduits, ditches or canals into other states, for use therein, and to authorize the court of chancery to assist in the observance of this act,"

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Senate Bill No. 111, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey,'" approved March twenty-fourth, eighteen hundred and ninety-nine,

And

Senate Bill No. 116, entitled "An act to provide for increasing the capacity of the state prison,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Robbins,

Senate Joint Resolution No. 3, entitled "Joint resolution authorizing and providing for the appointment of a commission to investigate and report upon the existing turnpikes, pay or toll roads in this state, with the view of converting the same into free public roads,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said resolution, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 255, entitled "An act for the protection of quail,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

On motion of Mr. Fordyce,

Assembly Bill No. 235, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Mattheus moved that two hundred extra copies of

Committee Substitute for

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employees of paid fire departments in cities of the first class in this state,"

Be ordered printed.

Which motion was carried.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock.

The Clerk read the following announcements:

There will be a public hearing on

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

And

Assembly Bill No. 231, entitled "An act to provide for the general assessment and equal taxation of property,"

In the Assembly Chamber, Tuesday, March 7th, 1905, at 2 P. M.

EDWARD D. DUFFIELD,
Chairman.

There will be a public meeting of the Committee on Revision of Laws to-morrow at 10:30.

LOUIS H. MILLER,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, March 7th, 1905.

House met at 10:30 o'clock A.M.

Prayer was offered by Rev. William Allen, Jr., of Haddonfield, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—52.

Absent—

Messrs. Ernst, Henry F. C., Johnstone, Manners, Mills, Riordan, Wilson—7.

The minutes of the last meeting were read and approved.

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the following gentlemen: James F. Fielder, of Hudson; Hon. Charles L. Moffett, or Union, and Hon. Charles F. McDonald, of Monmouth county.

Mr. Van Derveer offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. D. D. Denise, a former member of this House from the county of Monmouth.

Mr. Colby, Chairman of the Committee on Education, reported

Assembly Bill No. 126, entitled "A Supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Favorably, without amendment.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Senate Bill No. 94, entitled "An act to extend the territorial boundaries of borough of Sea Isle City, in the county of Cape May and state of New Jersey, by the annexation of portions of the townships of Dennis and Upper,"

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 129, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same,' approved June thirteenth, one thousand eight hundred and ninety-eight,"

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

Senate Bill No. 86, entitled "An act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities,"

Favorably, without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 235, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

And

Committee substitutes for

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employes of paid fire departments in cities of the first class in this state,"

And

Assembly Bill No. 113, entitled "An act providing for the pensioning of policemen, their widows, orphans or dependent parents,"

Correctly printed.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads' " (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Favorably, without amendment.

Mr. Martin, on leave, introduced

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,' " approved February fifteenth, one thousand nine hundred and five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Barber, on leave, introduced

Assembly Bill No. 257, entitled "An act to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Mabie, on leave, introduced

Assembly Bill No. 258, entitled "An act to amend an act entitled 'An act to protect the health of boys and girls, and secure to parents the control of their children,' " approved March tenth, one thousand eight hundred and eighty,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Mr. Miller moved that

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899),"' " approved February twenty-sixth, one thousand nine hundred and three,

Be recommitted to the Committee on Towns and Townships for further consideration.

Which motion was carried.

Mr. Robbins, on leave, introduced

Assembly Bill No. 259, entitled "An act to repeal an act entitled 'A further supplement to an act entitled "An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,'" approved April seventeenth, eighteen hundred and forty-six," which supplement was approved March twenty-second, eighteen hundred and ninety-five,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

Mr. Taylor, on leave, introduced

Assembly Bill No. 260, entitled "An act to authorize consolidated and annexed municipalities to make assessments for local improvements,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Hoagland,

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads (Revision of 1874),'" approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 129, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Dalrymple,

Assembly Bill No. 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Were taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hildreth,

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Reed offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. C. Asa Francis, a former member of this House, from the county of Monmouth, and the present mayor of Long Branch.

On motion of Mr. Hildreth,

Senate Bill No. 94, entitled "An act to extend the territorial boundaries of borough of Sea Isle City, in the county of Cape May and state of New Jersey, by the annexation of portions of the townships of Dennis and Upper,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Alexander,

Senate Bill No. 86, entitled "An act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Alexander moved that the rules be suspended and that

Senate Bill No. 86, entitled "An act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Alexander,

Senate Bill No. 86, entitled "An act to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

The Senate message was then taken up and

Senate Bill No. 18, entitled "A supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this state,' "

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 58, entitled "An act concerning corporations of this state organized for religious, educational, charitable or benevolent purposes, "

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 63, entitled "An act to amend an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 85, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 99, entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks and streams of this state, and to prevent the waters thereof from being carried by pipes, conduits, ditches or canals into other states, for use therein, and to authorize the court of chancery to assist in the observance of this act,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 111, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey,'" approved March twenty-fourth, eighteen hundred and ninety-nine,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

And

Senate Bill No. 116, entitled "An act to provide for increasing the capacity of the state prison,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on State Prison.

Mr. Reed, on leave, introduced

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Pennington moved that the rules be suspended and that

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Pennington,

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Pennington moved that the rules be suspended and that

Senate Bill No. 125, entitled "An act to authorize cities in this state to issue and dispose of bonds, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided,"

Be sent to the Senate at once, which motion was carried.

Mr. Miller, by request, on leave, introduced

Assembly Bill No. 262, entitled "An act relative to the publication of the laws of this state in the newspapers,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Hoagland offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John Vetterlein, a former member of this House from the county of Somerset.

Mr. Jones, on leave, introduced

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,'" approved March twenty-seventh, eighteen hundred and seventy-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 264, entitled "A further supplement to an act entitled 'An act concerning district courts' (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Miller moved the reconsideration of the vote by which

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Passed the House.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—52.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Miller moved that the rules be suspended and that the vote by which

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Was advanced to third reading be reconsidered,

Which motion was carried.

On motion of Mr. Miller,

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Was placed back on second reading for amendment.

On motion of Mr. Miller,

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Was taken up, read a second time, and the following amendment was read and adopted:

Amend the title by striking out the word "third" in the second line thereof, and insert in lieu thereof the word "eighth."

On motion of Mr. Miller,

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,'"

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,'" approved March seventh, one thousand eight hundred and ninety-three,

Favorably, without amendment.

Mr. Miller, on leave, introduced

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Colby moved that the rules be suspended and that the vote by which

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was advanced to third reading be reconsidered,

Which motion was carried.

Mr. Colby moved that

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Colby,

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, read a second time, and the following amendments were read and adopted:

In the title strike out the words and figure "A supplement to an act entitled" and the words "permanent improvement" and the word and figure "approved April first, one thousand nine hundred and three," and in line one of said title, after the word "the" insert the words "extension and maintenance"; in section one, lines four and five, strike out the words "the act to which this is a supplement," and insert the words "chapter ninety-seven of the laws of one thousand nine hundred and three, or any supplement thereto or amendment thereof"; line thirty-nine, strike out the words "the act to which this is a supplement," and insert in place thereof the words "chapter ninety-seven of the laws of one thousand nine hundred and three, or any supplement thereto or amendment thereof"; in section two, lines two and three, strike out the words "the act to which this is a supplement," and insert in place thereof the words "chapter ninety-seven of the laws of one thousand nine hundred and three, or any supplement thereto or amendment thereof."

On motion of Mr. Colby,

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Colby,

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Was taken up, read a second time, and the following substitute was offered by the same gentleman:

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

1. No franchise or other right to use any street, avenue, parkway or highway of any county or municipality in this state shall be given, granted, conveyed or leased by any county board or municipal body, to any person or corporation (other than a municipal corporation or state or county public board) for a longer period than fifty years.

2. Every such grant, conveyance or lease of or relating to any such franchise, to any person or corporation, shall be by ordinance and not otherwise.

3. All acts and parts of acts, general, special, private and local, inconsistent herewith, are hereby repealed, and this act shall take effect immediately.

On the adoption of which substitute the ayes and nays were called, with the following result:

In the affirmative were:

Messrs. Alexander, Boucher, Callery, Colby, Duff, Fordyce, Hamill, Lange, Loveridge, Marelli, Mattheus, Murphy, Wildrick, Willever, Wright—15.

In the negative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Coyne, Duffield, Elvins, Gibbs, Heck, Hildreth, Hoagland, Hulse, Jones, Kaiser, Layden, Lehlbach, Mabie, Martin, Miller, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman—29.

The Speaker thereupon declared the question on the adoption of the substitute lost.

Mr. Hamill offered the following amendment to

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

"And further resolved, that said commissioners investigate and report upon the advisability of having the value of franchises

of corporations using the public streets for trolley, gas, telephone, telegraph or water purposes, annually assessed by some appropriate taxing authorities and taxed at local rates of taxation,"

Which, on motion of Mr. Duffield, was adopted.

On motion of Mr. Colby,

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Duffield, the rules were suspended, and

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

As amended,

Was advanced to third reading and final passage.

On motion of Mr. Duffield

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

As amended,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll the following gentlemen appeared and answered to their names:

Messrs. Alexander Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—51.

Absent—

Messrs. Ernst, Gallagher, Henry F. C., Johnstone, Manners, Mills, Riordan, Wilson—8.

Mr. Hildreth, Acting Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Favorably, without amendment.

On motion of Mr. Lehlbach,

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,'" approved March seventh, one thousand eight hundred and ninety-three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

The Speaker put the question, shall Senate Amendments to

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Have a third reading, which was agreed to.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 173, entitled "An act to amend an act entitled 'An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spiritous, vinous, malt or brewed liquors,'" approved March seventeenth, one thousand eight hundred and ninety-two,

Favorably, without amendment.

On motion of Mr. Taylor,

Assembly Bill No. 173, entitled "An act to amend an act entitled 'An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spirituous, vinous, malt or brewed liquors,'" approved March seventeenth, one thousand eight hundred and ninety-two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

The Clerk read the following announcement:

There will be a meeting of the Committee on Banks and Insurance immediately after the close of this morning's session in the rooms of the Judiciary Committee.

EDWARD D. BIRKHOLZ,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 3:30 o'clock P.M.

AFTERNOON SESSION.

The House reconvened at 3.30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

Absent—

Messrs. Henry F. C., Johnstone, Manners, Loveridge, Riordan—5.

Mr. Birkholz, Chairman of the Committee on Banks and Insurance, reported

Assembly Bill No. 168, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,'" approved April third, one thousand nine hundred and two,

Favorably, with following Committee Amendments, which were read and adopted:

Strike out section three.

Change number of section four to three.

Change number of section five to four.

Change the semi-colon in line three, section one, to a comma.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads,'" (Revision of 1874), approved

March twenty-seventh, one thousand eight hundred and seventy-four,

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Assembly Bill No. 129, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same,' approved June thirteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Correctly printed.

Mr. Fordyce, on leave, introduced

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Coyne, on leave, introduced

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Perkins, by request, on leave, introduced

Assembly Bill No. 268, entitled "An act to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Robbins,

Assembly Bill No. 168, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Miller,

Senate Bill No. 65, entitled "An act to provide for the appointment of a commission to revise and codify the laws of this state relative to corporations,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Mabie, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright —43.

In the negative were—

Messrs. Fordyce, Martin—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn until tomorrow at 10.30 o'clock A. M.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 7, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has concurred in the following resolution:

WHEREAS, Richard A. Donnelly, Quartermaster-General of the State of New Jersey, died in the city of Trenton, on February twenty-seventh, one thousand nine hundred and five; and

WHEREAS, For fifteen years General Donnelly gave loyal and intelligent service to this State as Quartermaster-General; and

WHEREAS, His service to his country as a volunteer in the civil war, his devotion to public duty, his sterling worth as a man commend him to the commonwealth as having been a fine type of American citizenship;

Resolved (the Senate concurring), that the Legislature of New Jersey deplores the loss the State sustains in General Donnelly's death; and

Resolved, That the Legislature extends its sympathy and condolence to the bereaved family; and

Resolved, That a copy of this resolutions be sent to the widow of the deceased.

HOWARD L. TYLER,
Secretary of the Senate."

Mr. Hoagland, on leave, introduced

Assembly Bill No. 269, entitled "An act to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents, being liens upon land and sales therefor,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 270, entitled "An act for the sale in fee of land purchased by any taxing district for taxes, assessments or water rents (Revision of 1905),"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The Speaker announced that the House would continue under call until to-morrow morning.

On motion of Mr. Scovel, the House then adjourned.

WEDNESDAY, March 8th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. D. Ruby Warne, of Ewing, N. J.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—55.

Absent—

Messrs. Hunt, Johnstone, Riordan, Wilson—4.

The minutes of the last meeting were read and approved.

Mr. Coyne offered the following concurrent resolution, which was read by the Clerk:

WHEREAS, By a brilliant and successful charge at a critical moment in the battle of Newbern, North Carolina, March 4th, 1862, the Ninth New Jersey Volunteers captured within the Confederate works a beautiful flag bearing the inscription: "Beaufort Plow-Boys, Presented by the Ladies of Beaufort, N. C.," and

WHEREAS, The commanding general, in recognition of the valiant services rendered by the Ninth in the battle, permitted the regiment to retain the color, which was subsequently forwarded as a trophy to the State authorities, and is now in the possession of the Adjutant-General; and

WHEREAS, An appropriation of $5,000 was made by the last Legislature for a monument to be erected to the Ninth New Jersey's dead, in the National Cemetery, at Newbern, as a tribute to their heroism, which monument will be dedicated in May next; and

WHEREAS, In view of the existing feelings of regard and affection between the States of North Carolina and New Jersey, it would be appropriate and fitting when the ceremony takes place, to present to the Governor of North Carolina the captured color, that it may be returned by him to the survivors of the "Plow-Boys," or the "Ladies of Beaufort"; therefore, be it

Resolved (the Senate concurring), That the Governor of this State is hereby authorized to return to the Governor of North Carolina at such time and place as he may deem appropriate the flag herein referred to, and now in possession of the Adjutant-General of the State of New Jersey.

On motion of Mr. Duffield, the concurrent resolution offered by Mr. Coyne was referred to the Committee on Militia.

Mr. Layden offered the following concurrent resolution, which was read by the Clerk:

WHEREAS, The representatives of the people of these United States in Congress, as well as in our State Legislatures, should be chosen by the direct vote of the people; and

WHEREAS, The Constitution of the United States makes a different provision in regard to the members to compose the Senate of the United States; now, therefore, be it

Resolved (the Senate concurring), That it is the will and wish of the people of the State of New Jersey, that paragraph one, of section three, of article one, of the Constitution of the United States be amended in such a way that it shall provide that the Senate of the United States shall be composed of two Senators from each State, to be chosen by the legal voters of such State. at an election held for that purpose; and be it further

Resolved, That the representatives of the State of New Jersey, in the Congress of the United States, be and they are hereby requested to advocate such an amendment; and be it further

Resolved, That a copy of these resolutions, duly attested by the Clerk of the House be forwarded to each Representative of this State in the Congress of the United States.

Mr. Duffield moved that the concurrent resolution offered by Mr. Layden be laid on the table.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Jones,

Kaiser, Lehlbach, Mabie, Manners, Martin, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wright—36.

In the negative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Layden Marelli, Mattheus, Murphy—10.

The Speaker thereupon declared the motion carried.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 80, entitled "An act to provide for the purchase by the state of New Jersey of the annotations to the general statutes of New Jersey and the annotations to the pamphlet laws of the state of New Jersey from one thousand eight hundred and ninety-six to one thousand nine hundred and five,"

With the following amendments, which were read and adopted:

Strike out the word "five," in line one of section one, and insert the word "two" in place thereof.

Strike out the word "four," in line seven of section one, and insert the word "two" in place thereof.

Strike out the word "twenty-five," in line seven of section one, and insert the word "fifty" in place thereof.

Strike out the words "the members of the present legislature," in lines sixteen and seventeen of section one.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 173, entitled "An act to amend an act entitled 'An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spiritous, vinous, malt or brewed liquors,'" approved March seventeenth, one thousand eight hundred and ninety-two,

Assembly Bill No. 168, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

And

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Correctly printed.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 237, entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),'"

Assembly Bill No. 232, entitled "An act to amend an act entitled 'An act providing for the formation and government of towns,'" approved April twenty-fourth, one thousand eight hundred and eighty-eight,

Favorably, without amendment.

And

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

With the following amendments, which were read and adopted:

Amend section one, by changing the period at the end of the section to a comma, and adding the words " or by agreement with the owner."

Amend section five, by changing the period at the end of the section to a semi-colon, and adding the words "nor to condemn any lands used for railroad purposes."

And

Senate Committee substitute for

Senate Bill No. 7, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents, in towns, townships and 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 assessment,'" approved May eighteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 271, entitled "An amendment to an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Robbins, on leave, introduced

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 274, entitled "A supplement to an act entitled 'An act to regulate the practice of courts of law' (Revision of 1903), approved April fourteenth, nineteen hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 276, entitled "A supplement to an act entitled 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

On motion of Mr. Scovel,

Assembly Bill No. 80, entitled "An act to provide for the purchase by the state of New Jersey of the annotations to the general statutes of New Jersey and the annotations to the pamphlet laws of the state of New Jersey from one thousand eight hundred and ninety- six, to one thousand nine hundred and five,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Martin,

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Scott,

Assembly Bill No. 237, entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),' "

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli,

Assembly Bill No. 232, entitled "An act to amend an act entitled 'An act providing for the formation and government of towns,' " approved April twenty-fourth, one thousand eight hundred and eighty-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Senate Committee Substitute for

Senate Bill No. 7, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents, in towns, townships and 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 assessment,'" approved May eighteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 8th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Senate Bill No. 157, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight,'" approved March twentieth, one thousand eight hundred and eighty-nine,

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 157, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight,'" approved March twentieth, one thousand eight hundred and eighty-nine,

Which was read for the first time by its title and not referred to a committee.

Mr. Duffield moved that the rules be suspended and that the vote by which

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

Was advanced to third reading, be reconsidered.

Which motion was carried.

Mr. Duffield moved that the rules be suspended and that

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),'" approved March twenty-third, one thousand nine hundred,

Be placed back on second reading for amendment.

Which motion was carried.

On motion of Mr. Duffield,

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

Was taken up, read a second time, and the following amendments, offered by Mr. Duffield, were read and adopted:

Amend by striking out from section one, lines three to ten, the following: "The same per diem compensation as is now paid to the special judges of said court, to wit, the sum of twenty dollars per day for every day they shall respectively attend the court, and also for every day while necessarily engaged in the examination of cases or in the writing of opinions under assignment of the court; *provided, however,* that, in computing the number of days for which compensation shall be paid under this act, no more than fifteen days in any one term shall be included for services rendered in the examination of cases and the writing of opinions," and by inserting in the place thereof, the following: "The sum of one thousand dollars per annum, which shall be paid in equal monthly payments by the treasurer of this state upon the warrant of the comptroller of the treasury."

On motion of Mr. Duffield,

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision

1900),' approved March twenty-third, one thousand nine hundred,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices,"

With the following amendment, which was read and adopted:

Amend section four as follows: In line one strike out "any of the provisions," and insert "section one" in lieu thereof.

And

Assembly Bill No. 247, entitled "An act prohibiting persons not members of secret societies or other organizations from wearing the badge or uniform of such orders or organizations and prescribing penalties for the violation of the provisions thereof,"

Senate Bill No. 85, entitled "An act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three,

And

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Favorably, without amendment.

Also

Committee Substitute for

Assembly Bill No. 132, entitled "An act to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' approved April first, nineteen hundred and three, and the supplements and amendments thereto,"

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 8, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Assembly Bill No. 191, entitled "An act to incorporate the borough of Audubon, in the county of Camden,"

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Colby moved that the rules be suspended and that the vote by which

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Passed third reading, and final passage be reconsidered,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—50.

In the negative were—

Messrs. Gibbs, Scovel—2.

The Speaker thereupon declared the motion carried.

Mr. Colby moved that the rules be suspended and that the vote by which

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Was advanced to third reading, be reconsidered,

Which motion was carried.

Mr. Colby moved that the rules be suspended, and that

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Be placed back on second reading for amendment,

Which motion was carried.

On motion of Mr. Colby,

Committee Substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Was taken up, read a second time, and the following amendment, number one, offered by Mr. Colby, was read and adopted:

Amend title by striking out all between the words "commission" and "and," and insert in lieu thereof the following "to investigate the whole subject of franchises granted by municipalities to public utility corporations in their relation to such municipalities and to the state."

Mr. Colby offered the following amendments, number two, to

Committee Substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Which were read and adopted:

Amend "amendments to Committee Substitute No. 148," by striking out "and further resolved," in line one, and add in lieu thereof section number "two."

Change in section two, line one, the number "two" to "three"; change in section three, line one, the number "three" to "four."

Mr. Duffield moved that the rules be suspended and that

Committee Substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Be placed on third reading and final passage.

Mr. Duffield moved the previous question.

The Speaker then asked, "Shall the main question be now put?" on which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Baker, Barber, Birkholz, Buck, Coyne, Dalrymple, Duffield, Elvins, Gallagher, Gibbs, Hildreth, Hoagland, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Martin, Miller, Mills, Pennington, Robbins, Scovel, Shedaker, Taylor, Tillman—27.

In the negative were—

Messrs. Alexander, Boucher, Callery, Colby, Duff, Ernst, Fordyce, Hamill, Henry F. C., Henry G. C., Lange, Loveridge, Marelli, Mattheus, Murphy, Pearce, Perkins, Reed, Scott, Shaw, Van Derveer, Wildrick, Willever, Wright—24.

The Speaker thereupon declared the motion carried.

The question then recurring on the original motion of Mr. Duffield, said motion was carried by a viva voce vote.

On motion of Mr. Duffield,

Committee substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

As amended.

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

Favorably, without amendment.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Matheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Willever, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

Absent—

Messrs. Heck, Hulse, Hunt, Johnstone, Riordan, Wilson—6.

Mr. Hildreth, Chairman of the Committee on Miscellaneous Business, reported

Assembly Bill No. 250, entitled "An act creating a commission to investigate the condition of certain marshes in the vicinity of Arthur Kill and Newark Meadows, as affecting the public health, or the property values and other interests of the city of Newark, Arthur Kills and Newark Meadows,"

Favorably, without amendment.

The Clerk read the following announcements:

There will be a public hearing on

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

At 1:30 o'clock P.M. to-day.

HENRY S. SCOVEL,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 3 o'clock P.M.

AFTERNOON SESSION.

The House reconvened at 3 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—57.

Absent—

Messrs. Johnstone, Riordan—2.

Mr. Barber moved that the rules be suspended and that

Senate Bill No. 157, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight,' " approved March twentieth, one thousand eight hundred and eighty-nine,

Be placed on second reading without reference to a committee.

Which motion was carried.

On motion of Mr. Barber,

Senate Bill No. 157, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight,' " approved March twentieth, one thousand eight hundred and eighty-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Barber moved that the rules be suspended and that

Senate Bill No. 157, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight,'" approved March twentieth, one thousand eight hundred and eighty-nine,

Be advanced to third reading and final passage.

Which motion was carried.

On motion of Mr. Barber,

Senate Bill No. 157, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight,'" approved March twentieth, one thousand eight hundred and eighty-nine,

Was taken up, and under suspension of the rules, was read a third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wright—50.

In the negative was—Mr. Manners—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Favorably, without amendment,

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 204, 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,"

Assembly Bill No. 224, entitled "A supplement to 'An act concerning sheriffs,'" approved March fifteenth, one thousand eight hundred and seventy-six,

Assembly Bill No. 241, entitled "An act to amend an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),'" approved April eighth, one thousand nine hundred and three,

Senate Bill No. 6, entitled "An act to repeal an act entitled 'An act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the palisades of the Hudson, and for the purpose herein specified,'" approved March fifth, one thousand eight hundred and ninety-six,

Senate Bill No. 54, entitled "An act to create the office of commissioner of charities and corrections and to define his powers and duties,"

Favorably, without amendment;

And

Assembly Bill No. 183, entitled "An act to amend an act entitled 'An act to further amend an act entitled "An act to incorporate the chosen freeholders in the respective counties of this state,"' approved April sixteenth, one thousand eight hundred and forty-six," which further amendment was approved March fourteenth, one thousand eight hundred and seventy-nine,

With the following amendments, which were read and adopted:

Amend the title to read

"An act to further amend an act entitled 'An act to incorporate the chosen freeholders in the respective counties of the state'

(Revision), approved April sixteenth, one thousand eight hundred and forty-six."

Strike out lines 1 to 7 of section 1 and insert in place thereof the words:

"Section eight of the act which this is an amendment be further amended so as to read as follows:"

Also,

Assembly Bill No. 264, entitled "A further supplement to an act entitled 'An act concerning district courts' (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight,

With the following amendment,

Which was read and adopted.

Amend section 3, line 2 by inserting between the words "authorized" and "take" the words "and without color of title."

Mr. Pennington, Chairman of the Committee on Labor and Industries, reported

Assembly Bill No. 253, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Favorably, without amendment.

Mr. Martin, on leave, introduced

Assembly Bill No. 277, entitled "An act to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Layden,

Assembly Bill No. 3, entitled 'An act relating to the issue and redemption of trading stamps and other devices,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Buck,

Assembly Bill No. 247, entitled "An act prohibiting persons not members of secret societies or other organizations from wearing the badge or uniform of such orders or organizations and prescribing penalties for the violation of the provisions thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Jones,

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,'" approved March twenty-seventh, eighteen hundred and seventy-four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mattheus,

Assembly Bill No. 250, entitled "An act creating a commission to investigate the condition of certain marshes in the vicinity of Arthur Kill and Newark Meadows, as affecting the public health, or property values and other interests of the city of Newark, Arthur Kills and Newark Meadows,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Assembly Bill No 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, which act was approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Assembly Bill No. 183, entitled "An act to amend an act entitled 'An act to further amend an act entitled "An act to incorporate the chosen freeholders in the respective counties of this state," ' approved April sixteenth, one thousand eight hundred and forty-six," which further amendment was approved March fourteenth, one thousand eight hundred and seventy-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Loveridge,

Assembly Bill No. 204, 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,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 224, entitled "A supplement to 'An act concerning sheriffs,' " approved March fifteenth, one thousand eight hundred and seventy-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Buck,

Assembly Bill No. 241, entitled "An act to amend an act entitled An act constituting courts for the trial of small causes (Revision of 1903), approved April eighth, one thousand nine hundred and three,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Jones,

Assembly Bill No. 264, entitled "A further supplement to an act entitled 'An act concerning district courts' (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 253, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),' "

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hildreth,

Senate Bill No. 85, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Senate Bill No. 54, entitled "An act to create the office of commissioner of charities and corrections and to define his powers and duties,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 6, entitled "An act to repeal an act entitled 'An act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the palisades of the Hudson, and for the purpose herein specified,' " approved March fifth, one thousand eight hundred and ninety-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 8th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 39, entitled "An act to authorize cities in this state to insure their buildings,"

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,' " approved April first, eighteen hundred and eighty-seven,

Assembly Bill No. 184, entitled "An act to incorporate 'Northfield,' in the county of Atlantic, as a city, and fixing the boundaries thereof,"

Without amendment;

And

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

Senate Bill No. 50, entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters,'" approved April fourteenth, one thousand eight hundred and forty-one,

Senate Bill No. 51, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware Bay and Maurice River Cove, in the state of New Jersey,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Senate Bill No. 79, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, one thousand nine hundred and two,

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Senate Bill No. 140, entitled "Supplement to an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof,'" approved March twenty-fourth, one thousand nine hundred and four,

Senate Bill No. 148, entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations, in certain cases,"

And

Senate Bill No. 149, entitled "An act for the relief of the New Jersey state hospital at Trenton, and to provide additional accommodation for the insane of this state,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up, and

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Senate Bill No. 50, entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters,'" approved April fourteenth, one thousand eight hundred and forty-one,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 51, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware Bay and Maurice River Cove, in the state of New Jersey,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 79, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, one thousand nine hundred and two,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 140, entitled "Supplement to an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four.

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

Senate Bill No. 148, entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations, in certain cases."

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Senate Bill No. 149, entitled "An act for the relief of the New Jersey state hospital at Trenton, and to provide additional accommodation for the insane of this state,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on State Hospital.

A message was received from the Governor, by the hands of Mr. Gray, his Secretary,

As follows:

EXECUTIVE DEPARTMENT,
TRENTON, March 8th, 1905.

To the Speaker and Members of the General Assembly:

I beg leave to submit for your consideration report of the commission appointed under authority of a resolution adopted by the Legislature of this State, to reconcile the voting machine law and the General Election law, and to suggest such other amendments to the latter as they might deem wise. This report is accompanied by a bill incorporating the recommendations of the commission.

Respectfully yours,

E. C. STOKES.

(SEAL)

Attest: EDWARD W. GRAY,
Secretary to Governor.

To the Senate and General Assembly of the State of New Jersey:

GENTLEMEN—Pursuant to a resolution appointing us to investigate the Voting Machine law of the State and reconcile any difference that might exist between the said law and the General Election law, we beg leave to submit the following report by the enclosed bill.

Dated March 7th, 1905.

S. D. DICKINSON, *Chairman.*
JOS. A. BROHEL, *Secretary.*
ROBERT H. McCARTER.

On motion of Mr. Duffield, the Governor's message and the accompanying report was received, ordered to be spread in full on the minutes, and referred to the Committee on Elections.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 111, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey,' " approved March twenty-fourth, eighteen hundred and ninety-nine,

Favorably, without amendment.

Mr. Fordyce, Chairman of the Committee on Militia, reported favorably on the Assembly concurrent resolution introduced by Mr. Coyne on March the eighth, relative to returning the flag captured in the battle of Newbern, North Carolina, March fourth, one thousand eight hundred and sixty-two, to the governor of North Carolina.

A message was received from the Governor, by the hands of Mr. Gray, his Secretary, as follows:

EXECUTIVE DEPARTMENT,
TRENTON, March 8th, 1905.

To the Speaker and Members of the General Assembly:

I beg leave to call the attention of the House of Assembly to the present form in which printed bills are considered by the Legislature of this State.

It has apparently been the custom for some years to regard each section in a bill as a single sentence. The section may be short or long; it may cover a portion of a page or half a dozen or more pages in the pamphlet laws; it is none the less treated

as a single sentence with a period at the close, and with colons, semi-colons and commas interjected at will. I can see no reason for the continuance of this custom Laws should read as intelligently and as clearly as the use of good English warrants.

I suggest, therefore, that in the future printed matter in bills be treated as printed copy is treated in ordinary publication, and that it be divided into sentences with proper copitalization and punctuation.

Respectfully yours,

(SEAL) E. C. STOKES.

Attest: EDWARD W. GRAY,
Secretary to Governor.

Mr. Duffield moved that the above message from the Governor be received, spread in full upon the minutes, and referred to the Committee on Bill Revision.

Which motion was carried.

Mr. Colby, Chairman of the Committee on Education, reported

Assembly Bill No. 220, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, nineteen hundred and three,

Favorably, without amendment.

Mr. Barber, on leave, introduced

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hamill, on leave, introduced

Assembly Bill No. 279, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

The same gentleman, on leave, introduced

Assembly Bill No. 280, entitled "A supplement to an act entitled 'An act to provide for the construction and maintenance of speedways in counties of this state,' " approved March nineteenth, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 281, entitled "An act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipalities and to extend roads to connect with such viaduct and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' " approved March twenty-eighth, nineteen hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Taylor,

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,"

Was recommitted to the Committee on Municipal Corporations for further consideration.

On motion of Mr. Duffield,

Assembly Bill No. 220, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, nineteen hundred and three.

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield moved that the rules be suspended and that

Assembly Bill No. 220, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, nineteen hundred and three.

Be placed on third reading and final passage.

Which motion was carried.

On motion of Mr. Duffield,

Assembly Bill No. 220, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, nineteen hundred and three.

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington. Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Shaw,

Assembly Bill No. 162, entitled "Supplement to 'An act to regulate term of office in municipalities,'" approved March twelfth, one thousand eight hundred and eighty,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wilson, Wright—51.

In the negative was—

Mr. Martin—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Duffield,

Assembly Bill No. 131, entitled "An act relating to county detectives in counties of the first class,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Birkholz, Buck, Coyne, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Henry G. C., Hildreth, Hulse, Jones, Kaiser, Mabie, Manners, Marelli, Martin, Miller, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Tillman, Van Derveer, Wilson, Wright—34.

In the negative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Loveridge, Mattheus, Murphy—9.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hulse,

Assembly Bill No. 129, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same,' approved June thirteenth, one thousand eight hundred and ninety-eight,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scovel, for the Speaker,

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Assembly Bill No 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Barber, Buck, Callery, Coyne, Dalrymple, Duff, Duffield, Ernst, Gallagher, Hamill, Heck, Henry G. C., Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Loveridge, Mabie,

Marelli, Mattheus, Miller, Mills, Murphy, Pennington, Perkins, Scott, Scovel, Shaw, Tillman, Van Derveer, Willever, Wilson, Wright—35.

In the negative were—

Messrs. Birkholz, Colby, Elvins, Gibbs, Manners, Martin, Robbins, Taylor—8.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy asessor, and regulating the time and manner of making assessments,' "

With the following amendments,

Which were read and adopted:

After line 5, in section 2, add:

"2. Section three of the act to which this is amendatory be and the same is hereby amended so as to read as follows:"

In line 1, of section 2, change the figure "2" to "3".

On motion of Mr. Birkholz,

Assembly Bill No. 87, entitled "An act concerning cities,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hoagland, Hulse, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright —41.

In the negative were—

Messrs. Boucher, Hamill, Loveridge, Murphy—4.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Elvins (for the Speaker),

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),'" approved April third, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Hoagland moved that the rules be suspended, and that

The vote by which

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was advanced to third reading, be reconsidered.

Which motion was carried.

Mr. Hoagland moved that the rules be suspended and that

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Be placed back on second reading for amendment.

Which motion was carried.

On motion of Mr. Hoagland,

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up and read a second time.

The following amendments

Were read and adopted:

Amend by striking out in line 3, section 1, the words "upon the case," and parenthesis; in line 7, section 1, the word "or," and parenthesis; in line 8, section 1, the word "or," and parenthesis.

Amend section 2, line 4, by striking out the word "or," and parenthesis.

Amend section 3, line 3, by striking out the word "or," and parenthesis.

Amend section 4, line 9, by striking out the word "and," and parenthesis.

Amend section 5, line 5, by striking out the word "or," and parenthesis.

On motion of Mr. Hoagland,

Assembly Bill No. 46, entitled "An act to amend an act entitled "An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Fordyce.

Assembly Bill No. 235, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker,) Barker, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hoagland, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Martin offered the following resolution, which was read and adopted:

Resolved, That the State Printer be instructed to mail to each member of the House at his home address weekly one copy of the minutes of votes and proceedings of the General Assembly for such week as soon as the same is printed.

Mr. De Cou, on leave (for the Committee on Elections), introduced

Assembly Bill No. 282, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

Which was read for the first time by its title and ordered to have a second reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 88, entitled "A further supplement to an act entitled 'An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals,'" approved April third, one thousand eight hundred and sixty-eight,

Favorably, without amendment.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet on Friday morning at 10:30 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock.

The Clerk then read the following announcements:

There will be a further hearing on

Assembly Bill No. 38, entitled "An act for the licensing of stationary engineers, for the protection of life and property against loss or damage from the operation of steam boilers or steam engines by incompetent persons,"

Known as the stationary engineers' bill, before the Committee on Labor and Industries, on Tuesday next, March 14th, directly after the close of the morning session.

WILLIAM PENNINGTON,
Chairman.

There will be a public hearing on

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

On Tuesday, March 14th, at 10 o'clock A. M.

B. D. SHEDAKER,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

FRIDAY, March 10th, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. Barber, Speaker *pro tem.*, in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening at 8 o'clock.

MONDAY, March 13th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. Harold S. Rambo, of Absecon, N. J.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

Absent—Mr. F. C. Henry.

The minutes of the last meeting were read and approved.

A communication from the Attorney-General, Robert H. McCarter, and an accompanying opinion of the Honorable Bennet Van Syckel relative to

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Was received and read by the Clerk.

Mr. Duffield moved that both the communication of the Attorney-General, Robert H. McCarter, and the opinion of the Honorable Bennet Van Syckel, relative to

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Be spread in full upon the minutes and one thousand copies be ordered printed.

Which motion was carried.

STATE OF NEW JERSEY.
ATTORNEY-GENERAL'S OFFICE.
TRENTON, March 13th, 1905.

Hon. John Boyd Avis, Speaker of the House of Assembly, Trenton, N. J.

SIR—I duly received a communication from the Clerk of the House of Assembly advising me that the House of Assembly had passed the following resolution:

> "*Resolved,* That the Attorney-General be and hereby is requested at his early convenience to advise the House of Assembly whether, in his opinion, Assembly Bill No. 239, entitled 'An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,' is constitutional, and wherein the aforesaid bill differs from the bill reported by the Commissioners heretofore appointed under concurrent resolution of March 31st, 1903, to investigate and report upon the abandonment of navigation of the Morris canal.
>
> "And that he be requested, furthermore, to advise the Legislature whether, in his opinion, the said bill affords adequate protection to the interests of the State in the Morris canal, and if, in his opinion, said bill does not afford adequate protection to the State's interests therein, what amendment or amendments should be made thereto in order to afford such protection."

I have carefully examined Assembly Bill No. 239, referred to in the foregoing resolution, and after consideration, beg leave to submit my views.

Before answering specifically the three questions involved in the resolution, it is necessary to state the general features of the proposed act. It recites the incorporation of the Morris Canal and Banking Company under an act of the Legislature passed December 31st, 1824, granting to the company the right to build and maintain a canal between the Delaware and Passaic rivers and exempting the property of the canal from any and all taxation; the construction of the canal thereunder; its subsequent extension, pursuant to further legislative authority, to the Hudson river at Jersey City; its lease to the Lehigh Valley Railroad Company by virtue of the act of March 14th, 1871; the fact that it is claimed that because of modern conditions the canal has no longer a field for usefulness and has, indeed, become a nuisance, and the fact that it is desirable to extinguish the company's ex-

emption from taxation. It then provides for the repeal of the charter of the canal company upon the filing of an assent thereto by its lessee, the Lehigh Valley Railroad Company. Obviously, such a bill which stopped there without making any provision for the disposition of the company's property and the proper compensation to its creditors, stockholders and other persons interested, including the State of New Jersey, would be incomplete and unfair, and hence the bill undertakes to provide for these interests in this wise. The company itself is authorized to dispose of its property, whether land or water, to any purchaser at a figure which must be satisfactory to a commission of three men to be appointed by the Governor, by and with the advice and consent of the Senate, but the proceeds of such sale shall be applied to the payment of the debts of the company, the payment to the stockholders of such sum as their stock shall, by condemnation proceedings, be ascertained to be worth; the satisfaction of the rights and interests of the State therein, and to the raising of a fund of $25,000, with which to defray the expense of the former and future commissions. Any surplus shall be subject to any other claims against the company which the Chancellor shall adjudicate to be valid. The repealer, however, cannot become operative until the claims of creditors, stockholders and the State (including the sum of $25,000, before mentioned) shall be taken care of. The bill further authorizes the application, in whole or in part, by the purchasers of the property of the canal company, to certain other public uses specifically named upon the payment to the reversionary owners of such property the damages accruing to them by reason of such changed use, to be ascertained, if necessary, by condemnation proceedings. It also requires the purchasers of such parts of the property as are in Lake Hopatcong and Greenwood Lake, or in or under the dams at the outlets thereof, to perpetually maintain said dams at a given height, so as to insure the retention of a certain amount of water in those lakes, under penalty of forfeiture of such lands to the State.

With this general survey of the provisions of the bill I will now pass to a consideration of the three matters upon which the said resolution requests my opinion.

First. Is the bill constitutional?

This question should, in my opinion, be answered in the affirmative. The introduction of the bill was, I am told, preceded by the proper statutory notice. All rights are, so far as I can see, abundantly safe-guarded, and I know of no constitutional provision which prevents the Legislature from repealing a charter of a corporation (it being willing) if the rights of every one arising

out of such charter are provided for and taken care of. Indeed, the only suggestion that I have heard, questioning the constitutionality of the bill, is in regard to the fifth section, in which the rights of the State are in no wise concerned and which applies alone to the reversionary rights of private owners of property and the measure of their damage in the event of condemnation for the authorized different public uses. The members of the Commission, all of them eminent lawyers, recommended this provision, and believed it to be constitutional. I see no reason to differ from their conclusion; but assuming the contrary, the general scheme of the bill is in no way affected thereby, as it expressly provides that if it shall be determined that such rule of valuation is unconstitutional, the measure of compensation shall be modified accordingly and the residue of the bill shall not fail.

Second. Wherein does this bill differ from the bill reported by the Commissioners appointed under the concurrent resolution of March 31st, 1901?

This bill has some minor changes in phraseology in similar passages which are unimportant and to which no attention will here be given. I have carefully compared the two bills and note the following important substantial differences:

(*a.*) While both bills recognize the interest of the State growing out of the provision in the company's charter, which forfeits to the State the "said canal and its appurtenances" in 1974, at which time its chartered rights will also cease, the earlier bill provided that any surplus, after the payment of the debts and the value of the stock of the company, should go to the State. This bill requires the present worth of the interest of the State in the canal property in the year 1974 to be ascertained and paid before the act becomes operative. In other words, the one bill simply gave the State a residue that might or might not exist for its future interest. The other insures the payment of the present worth of that interest by fixing upon the value thereof in 1974 as the total sum realized from the proposed sale of its land and water rights, and directing the payment to the State of such a sum as compounded at four per cent. interest from the date of the passage of the act until December 31st, 1974, will produce that sum.

(*b.*) The earlier act made no provision whatever for the preservation of the dams at Lake Hopatcong and Greenwood Lake, respectively, and consequently, for the maintenance of the water-level in those lakes. The proposed bill contains an elaborate scheme for the perpetual maintenance of those dams at heights specifically named, and requires the erection of permanent monuments, at different localities, to indicate those heights.

(*c.*) The earlier act contained no provision for the necessary expense of carrying it into effect. This bill, as already shown, provides from the property of the canal company the sum of $25,000 to meet past and future expenses that will have accrued to the State from this matter of canal abandonment.

Third. Does the proposed bill afford adequate protection to the interests of the State in the Morris canal, and, if not, what amendment or amendments should be made thereto in order to afford such protection?

An answer to this inquiry involves an ascertainment of exactly what interest the State has in the property of the canal company; that is to say, in the land, water rights and other property of the company.

When this company was chartered in 1824, the State gave it no property, either land or water, save the bare franchise to build and maintain a canal after it should have acquired the land and water necessary to enable it so to do. In the first section of the charter the company was expressly authorized "to purchase, receive in donation, possess, enjoy and retain, demise, grant, alien and sell all such lands, tenements, hereditaments, waters, streams and water privileges, rights, goods, chattels and effects of every description whatsoever, as may be necessary for carrying into effect any of the provisions of this act." In the fifth section the company's agents were authorized to survey and determine upon a route, and when a survey thereof had been deposited in the office of the Secretary of State the company was expressly authorized "at any time to enter upon, take possession of, and use all and singular such lands, water and streams, *subject to such compensation to be made therefor as is hereafter directed.*" The sixth section further provided that "Where lands, waters and streams, that may be useful for said canal, shall not be made a free gift by the owner or owners to the said company, then the company shall pay to the owner or owners such compensation as shall be mutually agreed upon," and in case of an inability to so agree, provision was made in the same section for a condemnation of the value of the lands, waters and streams, and payment therefor. In the eleventh section it was further provided that "It shall be lawful for the said company to raise the waters in the Green Pond and Lake Hopatcong, commonly called the Great Pond, by damming the same, and to use the surplus waters thus saved, and so much water of said ponds as shall be necessary for said canal, to take and convey said waters into said canal, all loss and damages to the *owners of said ponds,* and the lands flowed or otherwise used in obtaining water

for the same as aforesaid, being paid for agreeably to the previous provisions of this act." By the twenty-seventh section it was expressly provided, however, that the company should not be authorized to take or appropriate to the use of said canal any lands, waters or streams of water, but such only as are actually necessary for the erection and use thereof for the purposes of navigation only, and all waters not used for that purpose were required to be permitted, without unnecessary interruption, to flow into their ancient and natural courses and channels.

The Supreme Court of this State, in the case of the *Morris Canal and Banking Company* v. *Seward,* reported in *3 Zabriskie, at page 219,* construing the 11th section of the charter, says: "By the 11th section of the act incorporating the defendants, it was made lawful for them to raise the waters of Lake Hopatcong by damming the same for the purposes of their canal, on payment of all loss and damages to the owners of lands flooded, or otherwise used, in obtaining water for said canal, agreeably to other provisions in said charter."

The Court of Errors, in the case of *Lehigh Valley Railroad* v. *McFarland, 4 Stewart 706,* in construing the charter of the canal company, through Judge Depue said:

> "By force of these charter powers, the entry upon, occupation of and use of lands, and the appropriation of waters necessary for the use of the canal, as from time to time may be determined upon by the company, is made lawful. The title to lands so taken, and the right to the waters so appropriated, do not finally vest in the company, until compensation be made; but, nevertheless, the occupation and use thereof are lawful, leaving the damages sustained by the injured parties to be recovered in the manner pointed out by the act, by action at law, if the amount of compensation to be paid has not been ascertained by the appraisement of commissioners appointed as prescribed by the act."

These provisions in the charter and these decisions of the court construing the same, both of which make it plain that the State itself gave no title to the company either to lands or water, but simply authorized the company to acquire such necessary lands and waters from the owners thereof upon compensation being made, were necessary by reason of the perfectly well settled principle of law that in this State the title to the fresh-water lakes and streams, and being nontidal, never was in the State but in the Board of Proprietors, and may only be acquired by an individual or corporation by grant from the Council of Proprietors. The

whole subject was reviewed by Judge Depue in the great case of *Cobb* v. *Davenport, in 3 Vroom, page 397,* in which, after referring to a number of authorities, he says:

> "The opinions above quoted are merely referred to as very respectable authority, in recognition of the right of private ownership in fresh-water streams, as the law in New Jersey. No decided case, and, it is believed, no dictum of our courts can be found, in which such right is denied as to fresh waters within the original boundaries of the province."

The opinion then quotes from the 11th section of the charter of the Morris Canal and Banking Company containing the authority "to raise the waters in the Green Pond and Lake Hopatcong, commonly called the Great Pond, by damming the same, and to use the surplus waters thus saved, and so much water of said ponds as shall be necessary, for said canal, and to take and convey said waters into said canal, all loss and damages to the owners of said ponds, or the lands flowed or otherwise used in obtaining water for the same, being paid for, agreeably to the previous provisions of this act," and then continues:

> "This distinct legislative recognition of the right of private ownership in this pond renders superfluous further research and inquiry.
>
> "The conclusion is, that the title to the soil under Green Pond was in the proprietors, and not in the State."

The same principle was re-announced by the Court of Errors and Appeals in the case of *Lehigh Valley Railroad Company* v. *McFarland, 14 Vroom 604,* as peculiarly applicable to the charter of the Morris Canal and Banking Company.

From these and other citations which might be made, I think it is plain that the State gave to the canal company no land or waters when its charter was acquired, any more than it donates to a railroad company any land or right of way when the latter acquires a charter. The procurement of either land or water by the canal company was a matter of treaty, grant, condemnation or acquisition by adverse possession, and resulting in the tenure or ownership thereof by the canal company for canal purposes, until its charter terminates either by repeal or expiry.

It would follow, therefore, that the State as such would have no interest whatever in the property of the canal company, and that the same would belong entirely to its stockholders, subject to the payment of its obligations, were it not for the 26th section of the charter, which reads as follows:

> "XXVI. State may take the Canal. At the end of ninety-nine years from the passing of this act, it shall and may be lawful for this State to take to itself and on its own account, the said canal and its appurtenances, paying to the said company the fair value thereof, to be estimated and fixed upon by ten commissioners, or a majority of them, to be mutually chosen by this State and the said company, or, in case that it shall not be done at that time, or within one year thereafter, this charter shall continue, so far as it respects its canal operations and privileges, for the further term of fifty years, when it shall cease, and the said canal with its appurtenances, become the sole property of this State."

We are not now concerned with the first provision for the condemnation by the State of the property of the canal in 1923. The only thing that is left, therefore, is the interest which the State has in the property of the canal at the present time by reason of the fact that by the provision just quoted, in 1974 the canal, with its appurtenances, shall become the property of the State.

The effort of the present bill is to discount the value to the State of this property by having all of the property—land and water—that the company has thus acquired, now sold, and postulating the sum thereby derived as the value of such property in the year 1974, to pay to the State such an amount of money as, compounded at 4 per cent., will, in 1974, amount to such proceeds of sale. No fairer way than this occurs to me to ascertain at this time what will be the probable value of this property to the State sixty-eight years hence. Considering the vicissitudes of value, and the fact that all of this property which, by the terms of the charter, is now exempt from taxation, will become immediately taxable, it seems to me that the interests of the State are fully and amply protected by this measure.

Nor will the State, by the enactment of the proposed bill into a law, pass any title or raise any estoppel against itself, so far as water or water rights are concerned, irrespective of the provision just considered. The State had no title to fresh-water lakes or streams when in 1824 it chartered the canal company, and it has none now, when it is suggested that it repeal that charter. No legislative act, therefore, then or now, can vest any title to such fresh-water lakes or streams in anyone. All that the proposed bill does, or can do, is to authorize the present disposition of the rights of the State in 1974 in the land and water rights of the canal company acquired by it from private ownership.

In view of the paramount importance of the proposed bill, and of the fact that I was formerly connected in a professional way with the Lehigh Valley Railroad Company, I have deemed it proper to request an independent investigation of these questions by the Honorable Bennet Van Syckel, who has just retired from the Supreme Court, after a distinguished service thereon of over thirty-five years. I transmit, with this, his opinion upon the subject.

Very respectfully yours,
ROBERT M. McCARTER,
Attorney-General.

Hon. Robert H. McCarter, Attorney-General:

DEAR SIR—In compliance with your request that I give you my opinion on questions involved in Assembly Bill No. 239, submitted to you by the House of Assembly, and that I should be especially solicitous to ascertain and advise you whether the rights of the State are fully secured and protected by the bill, I have carefully examined the provisions of the bill, and the legislation and proceedings to which it relates, and give you the result of my investigation.

While I have regarded it as my highest duty under this employment to care for the interest of the State, I have not failed to give the rights of those who are interested in the canal property the best consideration and judgment which I am capable of rendering, as I assume that the Legislature will pass no measure which will be unjust to them.

The questions thus agitated are:

First: Whether Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company, and to provide for the disposal of the property of said company," is constitutional?

Second: Wherein the said bill differs from the bill reported by the commissioners heretofore appointed under concurrent resolution of March 31, 1903, to investigate and report upon the abandonment of navigation of the Morris Canal?

Third: Whether the said bill (No. 239) affords adequate protection to the interests of the State in the Morris Canal, and if not, what amendment or amendments are necessary to secure that end?

The bill after reciting the history of the prior germane legislation, and the reasons relied upon to show that public policy requires that the canal should be abandoned, provides that the charter of the canal company shall be repealed, to take effect upon

the filing in the office of the Secretary of State a certificate of assent to the provisions of the act by the Lehigh Valley Railroad Company in the form therein prescribed, and upon the payment to the State of the sum of twenty-five thousand dollars for the expenses incurred and to be incurred by the commission heretofore appointed, and the commission provided for by this act, and also upon the payment to the State of the present worth of its right to take the Morris Canal and its appurtenances on the 31st day of December, 1974, and upon payment to the creditors of the canal of their debts, and to the stockholders of the canal of the value of their shares.

The manner of ascertaining the value of the rights of the State and of the shareholders is provided in the bill.

The canal company is authorized to apply its personal property, so far as it will extend, to the payment of its debts.

In order to provide for the residue of its debts and the required payments to the State and to the shareholders, the Lehigh Valley Railroad Company, the lessee of the canal, is empowered to negotiate contracts for the sale, in parcels, of the lands and water rights of the canal company, the same to be conveyed when a fund sufficient to pay the debts and to pay the appraised value of the shares shall have been secured by such sales, or from the Lehigh Valley Railroad Company; all contracts and sales to be approved by the three commissioners to be appointed in pursuance of said act by the Governor with the advice and consent of the Senate.

The present worth of the State's interest in the canal and its appurtenances in the year one thousand nine hundred and seventy-four is to be ascertained as follows: The total of the prices received for the lands and water rights sold and conveyed, with the approval of said commissioners, shall be deemed to be the value of the canal and its appurtenances in the year one thousand nine hundred and seventy-four, and the present worth of that value shall be such a sum of money as, compounded at the rate of four per centum per annum from the date of the passage of this act to the thirty-first day of December, one thousand nine hundred and seventy-four, will produce the said total value, and said present worth shall within six months after the acceptance of this act be paid by the Lehigh Valley Railroad Company to the State of New Jersey.

The commissioners are authorized and required to appraise the value per share of the common stock and of the preferred stock of the canal company, their proceedings to be governed and regulated by the act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use."

The amount awarded to the shareholders must be paid by the Lehigh Valley Railroad Company with interest from the date of the award.

The fifth section of the act provides that when sale of any portion of the canal property shall be made to any party having power to condemn property for public use, such purchaser may condemn the reversionary interest and other private rights in the property so purchased for any public use for which such property is by law authorized to be taken, and the compensation to be made under the condemnation proceedings shall be only for the damages arising out of the change from the use for canal purposes to the public use to which the purchaser shall devote the property.

I think this provision is equitable, and that it should be retained in the bill. The legality of this method of compensation has been upheld by some courts and denied by others.

It is not necessary to express my view of the question, because the same section of the bill provides, that if, in any such case of condemnation, it shall be determined that the rule of valuation in this section prescribed invades the constitutional rights of compensation of any private owner, the measure of compensation shall be modified accordingly, and the residue of the act shall not fail.

This preserves the validity of the act if no other infirmity is found in it.

The sixth section declares that the new public uses to which the property disposed of under the act may be devoted, shall be one or more of the following uses: Public streets or roads, parks, railroads, street railroads, electric roads, sewers, public water supplies, telegraph and telephone and other electric lines, and gas and water-pipe lines, all of which are unquestionably public uses.

The bill further provides measures intended for the protection of property owners on Lake Hopatcong and Greenwood Lake. Whether these provisions are ample I do not know, but from a discussion which I heard in the Assembly Chamber on the 8th of this month, at which time some of the landholders were present, and many others were represented by counsel, I infer that such slight amendments will be agreed to as will remove any objections by those property owners.

With this outline of the provisions of the bill, I will proceed to consider the questions addressed to me.

First: Is the Assembly Bill No. 239 constitutional?

The State created the corporation, and with the assent of the corporation it may authorize its abandonment, the rights of creditors and stockholders being duly guarded.

There is no limitation in the Constitution upon the power of the Legislature in this respect, and in my judgment ample power inheres in the legislative branch of the State Government to authorize the repeal of the charter, due regard being paid to individual rights.

(*a.*) The creditors by the bill must be paid before the repeal takes effect.

(*b.*) The rights of stockholders in the canal company must be legally disposed of, and therefore the question is presented whether an unwilling stockholder, under the exercise of the power of eminent domain, can be constrained to accept the compensation thereby ascertained in lieu of his shares of stock?

In *Black* v. *Delaware and Raritan Canal Company,* reported in *9 C. E. Gr., p. 469,* our court of last resort said:

> "In the exercise of the right of eminent domain, the Legislature may authorize shares in corporations and corporate franchises to be taken for public uses upon just compensation. The title to this species of property is no more secure against invasion when public uses require it, than is the ownership of real estate. Under this paramount right in the public, subject to which all private property is held, the franchises of one corporation have been and may be taken and bestowed upon another."

The Court in said case further declared:

> "It is one of the legislative prerogatives to decide the important question whether an enterprise or scheme of improvement be of such utility as to justify a resort for its furtherance to the exercise of the power of taxation or eminent domain. Primarily the judiciary has no concern in such matters. And not only this, but if the public interest be involved to any substantial extent, and if the project contemplated can, in any fair sense, be said to be promotive of the welfare or convenience of the community, the legislative adoption of such project is a determination of the question from which there is no appeal, and over which no other branch of the government has any supervision whatever."

In *Long Island Company* v. *Brooklyn,* reported in *166 U. S. 685,* Mr. Justice Brewer, in delivering the opinion of the United States Supreme Court, held,

> "that the Government may take any private property when public use requires it; that all private property is held subject to the demands of a public use. That the

constitutional provision prohibiting the impairing of contracts does not stay the power of eminent domain in respect to property which otherwise could be taken by it, and that contracts are property within the exercise of the power, and, like any other property, may be taken for public use."

No doubt, therefore, can be entertained that under the provisions of the bill for the exercise of eminent domain the rights of the shareholders in their stock may be extinguished on just compensation. That just compensation will be awarded must be assumed, as the control of the proceedings to compute the compensation is in our judicial tribunals.

I conclude, therefore, that the bill is constitutional, that it makes due provision for the preservation of the rights of those affected by it, and that there is ample power in the Legislature to authorize the abandonment of the canal, and the devotion of its property, to other public uses.

Second: The bill now considered differs from the bill previously reported by the commissioners in two substantial respects, in addition to the provision for the protection of the lands along the lakes:

(*a.*) Instead of the method of compensating the State as hereinbefore set forth, it provided that after applying the proceeds of sale of the property of the company to the debts, and the appraised value of all the shares of the stock of the company, the residue of such proceeds of sale should be paid to the State for its interest.

(*b.*) The prior bill is also without the provision for payment to the State of the sum of twenty-five thousand dollars to meet the expenses incurred and to be incurred by the former commission and the commission to be appointed under the bill now considered, leaving it doubtful whether the State would receive any equivalent for the surrender of its right to take the canal in 1974.

Third: The question remains to be considered whether the bill affords adequate protection to the interests of the State in the canal, and if not, what amendment or amendments are necessary to secure that end?

To this question I have given the most deliberate consideration, with a desire to aid the State in securing everything to which it is justly entitled.

This leads at once to the consideration of what the State will acquire by the exercise of the right to take the canal in 1974.

I shall assume that the distinguished commissioners to whom this subject has been referred are correct in reporting that the

property can no longer be profitably operated as a canal, and that the value it may have must be derived principally from its devotion to other public uses.

The property of the Morris Canal consists of its franchises, its lands and water rights, acquired under the provisions of its charter. The charter limited its right to acquire title to such property as might be necessary to carry into effect the provisions of the act.

The value of the property in the ownership or possession of the company is not a subject for my consideration.

The original charter does not authorize the canal company to use the water obtained by it for any purpose other than the navigation of the canal, but in the act of 1871 authorizing the lease of the canal to the Lehigh Valley Railroad Company, there is a provision in the third section that it shall be lawful for the said canal company, or its lessee or lessees, to use the surplus water of the canal or any of its feeders not needed for the purpose of navigation, in furnishing and supplying the inhabitants of any city, town or village along the line of said canal, or in the vicinity thereof, with a sufficient quantity of pure and wholesome water for manufacturing or domestic and other purposes.

This act did not give to the canal company or to its lessee one drop of water which it did not before its passage possess, for as will hereafter appear, the State had no ownership in waters to which it could give a title. Nor could the canal company or its lessee in virtue of the act of 1871 lawfully appropriate any water which it had acquired under the exercise of eminent domain for the navigation of the canal to any other purpose whatever. Upon cessation of the use of the water for canal navigation the title to it would revert to the owner of the soil from whom it was taken.

The water rights of the canal are such as have been acquired under authority of its charter for the purposes of a canal.

The State has no ownership of the water in the fresh-water streams of the territory through which the canal runs, nor in the waters of Lake Hopatcong or Greenwood Lake.

In *Cobb* v. *Davenport, 3 Vr. 369,* in the very able and interesting opinion delivered by the late Chief Justice Depue, it is declared that the soil under the waters of fresh-water lakes, within the boundaries of the original grant of the province of New Jersey, is in the proprietors, and not in the State, and may be acquired by an individual owner by grant from the council of proprietors, and that therefore the plaintiff who derived his title to the bed of the pond from the proprietors, could maintain an action of

trespass against one who entered upon said pond without his consent.

This water right is part of the freehold, and as much property as the title of the soil, which the owner cannot be deprived of without his consent, except for public uses upon just compensation being made to him.

This doctrine is fully recognized, and applied in the following among other cases, and is now the uncontroverted law of our State.

Trenton Waterpower v. *Raff, 7 Vr. 342.*
Carlisle v. *Cooper, 6 C. E. Gr. 596.*
Atty.-General v. *Del. & B. B. R. Co., 12 C. E. Gr. 631.*

These waters may be acquired by the State by voluntary grant from the owners of the bed of these ponds, or they may be acquired against such consent of the owner by the exercise of the power of eminent domain upon due compensation, if they are to be appropriated to public uses.

Such right of condemnation may be invoked by the State now, or at any time hereafter, and will not be in any wise affected by the passage of the proposed act of repealer.

These rights which may be secured by condemnation cannot be considered in estimating the value of the rights of the State in the canal, because the State in order to acquire them must pay to the owners of the soil the full and fair value of the water.

In this view of the law it must be determined whether the rights of the State are properly secured in the act under consideration.

All that will fall to the State in nineteen hundred and seventy-four, if the canal charter is not repealed, will be the canal property, which, it seems to be conceded, will not be valuable for canal navigation, and I base my answer to the third question upon the assumption that it is so.

The provision of the bill as before stated is that the entire property of the canal company, consisting of its lands and water rights, shall be sold with the assent of commissioners to be appointed by the Governor with the approval of the Senate, and that the whole proceeds of the sale shall be deemed to be the value of the canal to the State in 1974, and upon such proceeds of sale the present value of the right of the State to take the canal in 1974 is to be computed.

It must be presumed that these commissioners selected by the State will do whatever may be properly done to promote the interest of the State by securing the full value of the canal property. The greater the amount realized by the sale the better it will be

for the interest of the State, as well as for that of the Lehigh Valley Railroad.

If the canal property is disposed of for its fair value, as it presumably will be, and the present value of the State's right to take the canal in 1974 is properly computed, it is obvious that the State will, under this bill, receive the full equivalent in money to which it is entitled.

I am unable to suggest a more just and equitable method by which the rights of the State may be guarded and secured. I have considered only the legal questions raised by the provisions of the bill. Whether lands taken for the canal will revert to the original owners, and what rights the municipalities through which the canal runs may have in such lands, are questions to be determined by our courts. Some rights will not be impaired by the passage of the bill.

Very truly yours,
B. VAN SYCKEL.

Dated March 13, 1905.

Mr. Layden offered the following resolution, which was read and adopted:

Resolved (the Senate concurring), That Assembly Committee Substitute for Assembly bills numbers two (2) and twenty-five (25), which has passed both houses of this Legislature, and is now in the hands of the Governor, be returned to this House for further consideration.

Mr. Miller offered the following resolution, which was read and adopted:

Resolved (the Senate concurring), That the Governor be requested to return to the House of Assembly, Assembly Bill No. 90, for further consideration.

Mr. Loveridge offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. A. A. Rich, a former member of this House, from the county of Hudson.

The Clerk read a petition, numerously signed by the citizens of Summit, protesting against the passage of

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and

close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 3, entitled 'An act relating to the issue and redemption of trading stamps and other devices,"

Assembly Bill No. 46, entitled "An act to amend an act entitled "An act concerning roads,'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Assembly Bill No. 80, entitled "An act to provide for the purchase by the state of New Jersey of the annotations to the general statutes of New Jersey and the annotations to the pamphlet laws of the state of New Jersey from one thousand eight hundred and ninety-six to one thousand nine hundred and five,"

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),'" approved March twenty-third, one thousand nine hundred,

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Assembly Bill No. 183, entitled "An act to amend an act entitled 'An act to further amend an act entitled "An act to incorporate the chosen freeholders in the respective counties of this state,"' approved April sixteenth, one thousand eight hundred and forty-six," which further amendment was approved March fourteenth, one thousand eight hundred and seventy-nine,

Assembly Bill No. 204, 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,"

Assembly Bill No. 224, entitled "A supplement to 'An act concerning sheriffs,'" approved March fifteenth, one thousand eight hundred and seventy-six,

Assembly Bill No. 237, entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),'"

Assembly Bill No. 241, entitled "An act to amend an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 247, entitled "An act prohibiting persons not members of secret societies or other organizations from wearing the badge or uniform of such orders or organizations and prescribing penalties for the violation of the provisions thereof,"

Assembly Bill No. 250, entitled "An act creating a commission to investigate the condition of certain marshes in the vicinity of Arthur Kill and Newark Meadows, as affecting the public health, or the property values and other interests of the city of Newark, Arthur Kills and Newark Meadows,"

Assembly Bill No. 253, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),' "

Assembly Bill No 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, which act was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

And

Assembly Bill No. 264, entitled "A further supplement to an act entitled 'An act concerning district courts' (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight,

Correctly printed.

Mr. Colby, Chairman of the Committee on Education, reported

Assembly Bill No. 202, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, nineteen hundred and three,

Favorably, without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,' " approved February fifteenth, one thousand nine hundred and five,

Favorably, without amendment.

Mr. Fordyce, Chairman of the Committee on Militia, reported

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 252, entitled "A supplement to an act entitled 'An act authorizing cities of this state to extend existing water-works owned by such cities, and to issue bonds for the cost of such extension,'" approved March twenty-second, one thousand nine hundred and four,

Favorably, without amendment.

Mr. Shedaker, on leave, introduced

Assembly Bill No. 283, entitled "An act to extend the territorial boundaries of the township of Florence in the county of Burlington by the annexation of a portion of the township of Burlington in said county,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Manners, on leave, introduced

Assembly Bill No. 284, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same, and uniform rules regulating the use and speed thereof,'" approved March twenty-third, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 285, entitled "An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, nineteen hundred and one,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Mr. Reed, on leave, introduced,

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Scott, on leave, introduced

Assembly Bill No. 287, entitled "An act authorizing the appointment of boards of city hospital trustees, defining their powers and duties, and providing for the purchase of lands and erection and equipment of buildings for hospital purposes in the several cities in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hulse, on leave, introduced

Assembly Bill No. 288, entitled "An act to provide for the purchase of a site for and the erection and equipment of a state arsenal in the city of Trenton, and making an appropriation therefor, and to provide for the taking of real estate for such site by condemnation in case the same cannot be purchased by agreement,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Militia.

The same gentleman, on leave, introduced

Assembly Bill No. 289, entitled "An act to provide for the use of lands now occupied by the state arsenal at Trenton, for the purpose of enlarging the state prison,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Militia.

The same gentleman, on leave, introduced

Assembly Bill No. 290, entitled "An act concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

With amendments.

Mr. Van Derveer, on leave, introduced,

Assembly Bill No. 291, entitled "An act to repeal so much of the act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or affect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and collection of taxes and the deduction of loan association mortages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Pearce, on leave, introduced

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Martin, by request, on leave, introduced,

Assembly Bill No. 293, entitled "An act relating to collectors of taxes in certain municipalities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Robbins, on leave, introduced

Assembly Bill No. 294, entitled "An act to amend an act entitled 'An act to regulate the practice of courts of law (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hamill, on leave, introduced

Assembly Bill No. 295, entitled "An act to amend an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Mr. Wright, on leave, introduced

Assembly Bill No. 296, entitled "A supplement to an act establishing a court for the trial of juvenile offenders, and defining its duties and powers," approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Scovel, on leave, introduced

Assembly Bill No. 297, entitled "An act for the better publication of the annual financial statement of towns, boroughs and townships, and of cities containing a population of less than twelve thousand inhabitants,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, on leave, introduced

Assembly Bill No. 298, entitled "An act concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 299, entitled "An act to amend 'A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," which further supplement was approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Mr. Baker, on leave, introduced

Assembly Bill No. 300, entitled "An act to amend an act entitled 'An act respecting the orphans' court,' " (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Riordan, on leave, introduced

Assembly Bill No. 301, entitled "An act to amend an act entitled 'An act defining motor vehicles, and providing for the registration of the same, and uniform rules regulating the use and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 302, entitled "An act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures,' " approved April eighth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading and referred to the Committee on Public Health.

On motion of Mr. Manners,

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Colby,

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mills,

Assembly Bill No. 215, entitled "An act to amend 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and vilages of this state with water,'" approved April twenty-first, eighteen hundred and seventy-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 88, entitled "A further supplement to an act entitled 'An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals,'" approved April third, one thousand eight hundred and sixty-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Committee Substitute for

Assembly Bill No. 132, entitled "An act to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' approved April first, nineteen hundred and three, and the supplements and amendments thereto,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Manners,

Assembly Bill No. 202, entitled "An act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, nineteen hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Martin,

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,' " approved February fifteenth, one thousand nine hundred and five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Martin moved that the rules be suspended and that

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,' " approved February fifteenth, one thousand nine hundred and five,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Martin,

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,' " approved February fifteenth, one thousand nine hundred and five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus,

Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Barber,

Assembly Bill No. 252, entitled "A supplement to an act entitled 'An act authorizing cities of this state to extend existing water-works owned by such cities, and to issue bonds for the cost of such extension,'" approved March twenty-second, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Miller,

Senate Bill No. 111, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey,'" approved March twenty-fourth, eighteen hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or

deputy assessor, and regulating the time and manner of making assessments,' "

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 36, entitled "An act to authorize cities to provide for the charging and collection of fees,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Colby,

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach,

Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Scovel,

Senate Bill No. 19, entitled "An act to repeal an act entitled 'An act for the licensing and taxation of foreign corporations,'" approved March twenty-ninth, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Colby,

Senate Bill No. 43, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Scovel,

Assembly Bill No. 80, entitled "An act to provide for the purchase by the state of New Jersey of the annotations to the general statutes of New Jersey and the annotations to the pamphlet laws of the state of New Jersey from one thousand eight hundred and ninety-six, to one thousand nine hundred and five,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative was—Mr. Hulse.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Assembly Bill No. 168, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Ernst offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Samuel S. Swackhamer, a former member of this House, from the county of Somerset.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock.

The Clerk read the following announcement:

There will be a public meeting of the Committee on Public Health immediately after Tuesday morning session.

B. FRANK BUCK,
Chairman.

There will be a meeting of the Committee on Banks and Insurance immediately after the session to-morrow morning.

EDWARD D. BIRKHOLZ,
Chairman.

There will be a meeting of the Committee on Boroughs and Borough Commissions, on

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

Immediately after the session to-morrow morning.

THOMAS E. HUNT,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, March 14th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. Robert McKay, of Moorestown, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

Absent—

Messrs. Gallagher, Gibbs, Henry F. C., Johnstone, Manners—5.

The minutes of the last meeting were read and approved.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Assembly Bill No. 88, entitled "A further supplement to an act entitled 'An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals,' " approved April third, one thousand eight hundred and sixty-eight,

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' " approved March seventh, one thousand eight hundred and ninety-five,

Assembly Bill No. 202, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, nineteen hundred and three,

Assembly Bill No. 215, entitled "An act to amend 'An act for the construction, maintenance and operation of water-works for the purpose of supplying cities, towns and villages of this state with water,' " approved April twenty-first, eighteen hundred and seventy-six,

Assembly Bill No. 232, entitled "An act to amend an act entitled 'An act providing for the formation and government of towns,' " approved April twenty-fourth, one thousand eight hundred and eighty-eight,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Assembly Bill No. 252, entitled "A supplement to an act entitled 'An act authorizing cities of this state to extend existing water-works owned by such cities, and to issue bonds for the cost of such extension,' " approved March twenty-second, one thousand nine hundred and four,

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,' " approved February fifteenth, one thousand nine hundred and five,

Committee Substitute for

Assembly Bill No. 132, entitled "An act to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' approved April first, nineteen hundred and three, and the supplements and amendments thereto,"

Second Committee Substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

And

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,' "

With Assembly amendments,

Correctly printed.

Mr. Robbins offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. M. E. Matlack, of Burlington county, a former member of this House.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships' " (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Favorably, without amendment.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Senate Bill No 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),' " which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Favorably, without amendment,

Mr. Hildreth, on leave, introduced

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),' " approved April fourth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 304, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Lehlbach, on leave, introduced

Assembly Bll No. 305, entitled "An act to provide for the better security of life and limb in buildings,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Colby, on leave, introduced

Assembly Bill No. 306, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,' " approved March fifth, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The same gentleman, on leave, introduced

Assembly Bill No. 308, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, management and support thereof,' approved October nineteen, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Wright offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. E. G. Stalter, a former member of this House, from Passaic county.

On motion of Mr. Tillman,

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. De Cou,

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Mills moved that

Assembly Bill No. 282, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

Be placed on second reading without reference,

Which motion was carried.

Mr. Martin moved that the rules be suspended and that the vote by which

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Martin,

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Was taken up, read a second time, and the following amendments proposed by Mr. Martin were read and adopted:

Amend sectione one, line three, by inserting between the words "any" and "section" the words "part of," and by striking out the entire clause in lines three, four and five enclosed in parenthesis.

Amend section two, line four, by changing the semicolon after the word "township" to a period, and by changing the word "which" to the word "such."

Amend section three, line five, by changing the semicolon after the word "received" to a period, and commencing the next word with a capital.

Amend section four, line four, by changing the semicolon after the word "thereof" to a period, and commencing the next word with a capital.

Amend line six of the same section by changing the semicolon after the word "committee" to a period, and commencing the next word with a capital.

Amend line eleven of the same section by changing the semicolon after the word "election" to a period, and commencing the next word with a capital.

Amend line fifteen of the same section by placing the quotation marks after the word "same" before the comma.

Amend line eighteen of the same section by placing the quotation marks before the period, and by commencing the next word with a capital.

Amend line twenty-three of the same section by inserting in place of the words "the same to" the words "which shall."

On motion of Mr. Martin,

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 309, entitled "An act to amend an act entitled 'An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor,' approved April ninth, one thousand nine hundred and two,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Duff offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. William T. Hoffman, a former member of this House from the county of Monmouth.

Mr. Duff offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. David W. Lawrence, a former member of this House from the county of Hudson.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Committee Substitute for

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

Assembly Bill No. 175, entitled "An act to repeal sundry statutes,"

Favorably, without amendment;

And

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

With committee amendments.

The following committee amendments to

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

Were read and adopted:

Amend section one, by inserting in line two, after the word "director," the words "or other head officer."

Amend section two, by inserting in line seven, after the word "director," the words "or other head officer"; also, by inserting in line twenty-three, after the word "director," the words "or other head officer."

Amend section three, by inserting in line eight, after the word "director," the words "or other head officer"; also, by inserting in line thirteen, after the word "director," the words "or other head officer."

Amend section five, by inserting in line seven, after the word "insane," the words "made not more than six days prior to the confinement of said person"; also, by striking out in line nine, the word "ten," and inserting in lieu thereof the word "six"; also, by inserting in line fourteen, after the word "director," the words "or other head officer."

Amend section seven, by striking out the word "superintendent," in lines one, five and nine.

Amend section eight, by inserting in line nine, after the word "director," the words "or other head officer."

Amend section nine, by inserting in line seven, after the word "director," the words "or other head officer."

Amend section ten, by inserting in line sixteen, after the word "director," the words "or other head officer"; also, by inserting in line eighteen, after the word "director," the words "or other head officer"; also, by striking out in line twenty-two, the words "in said institution," and inserting in lieu thereof the words "from the beginning of his confinement in any institution for the care and treatment of the insane in this state, together with the expenses of his transference from one of said institutions to another"; also, by inserting in line twenty-three, after the word "institution," the words "or institutions."

Amend section eleven, by inserting in line twenty-two, after the word "director," the words "or other head officer"; also, by inserting in line twenty-four, after the word "director," the words "or other head officer"; also, by striking out in line twenty-eight the words "in said institution," and inserting in lieu thereof the words "from the beginning of his confinement in any institution for the care and treatment of the insane of this state, together with the expenses of his transference from one of said institutions to another"; also, by inserting in line twenty-nine, after the word "institution," the words "or other institutions."

Amend section twelve, by inserting in line eleven, after the word "director," the words "or other head officer"; also, by inserting in line thirteen, after the word "director," the words "or other head officer"; also, by inserting in line nineteen, after the word "institution," the words "or institutions"; also, by inserting in line fifteen, after the word "pay," the words "in monthly payments."

Amend section thirteen, by inserting in line fifteen, after the word "director," the words "or other head officer"; also, by inserting in line twenty-two, after the word "director," the words "or other head officer"; also, by inserting in line twenty-three, after the word "director," the words "or other head officer"; also, by inserting in line thirty, after the word "director," the words "or other head officer"; also, by inserting in line thirty-four, after the word "director," the words "or other head officer."

Amend section seven, by inserting between the words "book" and "exclusively," line four, the words "or other systematic form of case records with card index."

On motion of Mr. Lehlbach,

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 175, entitled "An act to repeal sundry statutes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 173, entitled "An act to amend an act entitled 'An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spiritous, vinous, malt or brewed liquors,'" approved March seventeenth, one thousand eight hundred and ninety-two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington,

Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Van Derveer offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Joseph L. Butcher, a former member of this House, from the county of Monmouth.

On motion of Mr. Hoagland,

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 14th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 14, entitled "An act to provide for the appointment of an assessor of taxes in certain cities of this state, and fixing the time for making assessments and prescribing his duties,"

Senate Bill No. 53, entitled "An act to incorporate the borough of Bloomsbury in the county of Hunterdon,"

Senate Bill No. 74, entitled "An act authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose,"

Senate Bill No. 75, entitled "An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement,"

Senate Bill No. 130, entitled "An act to provide for the appointment of a commission to report to the governor and legislature some method of improving the judicial system and the system of procedure of this state,"

Senate Bill No. 172, entitled "An act to amend an act entitled 'An act to establish the office of register of deeds and mortgages in certain counties of this state,' " approved March seventh, one thousand nine hundred and four,

Senate Bill No. 100, entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,' " approved April fourteenth, nineteen hundred and three,

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Senate Bill No. 119, entitled "An act to amend an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,' " approved March twenty-ninth, A. D. one thousand eight hundred and ninety-seven,

Senate Bill No. 120, entitled "A supplement to an act entitled 'A act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,' " approved March twenty-ninth, one thousand eight hundred and ninety-seven,

Senate Bill No. 122, entitled "A supplement to 'An act concerning savings banks,'" approved April twenty-first, one thousand eight hundred and seventy-six,

Senate Bill No. 155, entitled "An act to amend an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,'" approved April third, one thousand nine hundred and two,

Senate Bill No. 156, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "A supplement to an act entitled 'An act to regulate fishing with seines in Barnegat bay,'" passed February seventeenth, one thousand eight hundred and forty-two,' which supplement was approved April twenty-first, one thousand eight hundred and seventy-six," and said amendatory act approved May fourteenth, one thousand eight hundred and ninety-four,' and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight," and which further amendatory act was approved March twenty-second, one thousand nine hundred,

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

And

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

With Senate amendments,

In which the concurrence of the House of Assembly is requested;

Also

Assembly Bill No. 55, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of the same,'" approved June thirteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 14, entitled "An act to authorize religious corporations, which have heretofore acquired lands in this State on condition for burial or cemetery purposes, to convey the same in certain cases to the municipal corporations wherein they are

situated for the uses and purposes of public parks, and to authorize such municipal corporations to receive, hold and maintain, and to embellish and improve the same for such uses and purposes,"

Assembly Bill No. 15, entitled "An act to authorize the conveyance to the 'mayor and aldermen of the city of Paterson' of certain lands heretofore granted by the state of New Jersey for cemetery purposes, and to authorize the said 'the mayor and aldermen of the city of Paterson' to accept and maintain the same as a public park or parks,"

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 97, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers,'" approved April fourth, one thousand eight hundred and eighty-six,

And

Assembly Bill No. 98, entitled "An act to amend an act entitled 'An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives,'" approved April twentieth, one thousand eight hundred and ninety-eight,

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

Was read for the first time by its title, and not referred.

Senate Bill No. 14, entitled "An act to provide for the appointment of an assessor of taxes in certain cities of this state, and fixing the time for making assessments and prescribing his duties,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 53, entitled "An act to incorporate the borough of Bloomsbury in the county of Hunterdon,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 74, entitled "An act authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 75, entitled "An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 130, entitled "An act to provide for the appointment of a commission to report to the governor and legislature some method of improving the judicial system and the system of procedure of this state,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 172, entitled "An act to amend an act entitled 'An act to establish the office of register of deeds and mortgages in certain counties of this state,'" approved March seventh, one thousand nine hundred and four,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 100, entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,'" approved April fourteenth, nineteen hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 119, entitled "An act act to amend an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,' " approved March twenty-ninth, A. D. one thousand eight hundred and ninety-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 120, entitled "A supplement to an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,' " approved March twenty-ninth, one thousand eight hundred and ninety-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 122, entitled "A supplement to 'An act concerning savings banks,' " approved April twenty-first, one thousand eight hundred and seventy-six,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 155, entitled "An act to amend an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 156, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "A supplement to an act entitled 'An act to regulate fishing with seines in Barnegat bay,' " passed February seventeenth, one thousand eight hundred and forty-two,' which supplement was approved April twenty-first, one thousand eight hundred and seventy-six," and said amendatory act approved May fourteenth, one thousand

eight hundred and ninety-four,' and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight," and which further amendatory act was approved March twenty-second, one thousand nine hundred,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Elvins moved

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

Be placed on second reading, without reference,

Which motion was carried.

On motion of Mr. Elvins,

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Elvins moved that the rules be suspended and that

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Elvins,

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Elvins moved that the rules be suspended and that

Senate Bill No. 182, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for government of cities,'" approved April third, one thousand nine hundred and two,

Be sent to the Senate at once, which motion was carried.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

Absent—

Messrs. Boucher, Gallagher, Henry F. C., Johnstone, Manners —5.

On motion of Mr. Loveridge,

Assembly Bill No. 204, 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,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield; Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Mattheus moved that

Assembly Bill No. 250, entitled "An act creating a commission to investigate the condition of certain marshes in the vicinity of Arthur Kill and Newark Meadows, as affecting the public health, or the property values and other interests of the city of Newark, Arthur Kills and Newark Meadows,"

Be recommitted to the Committee on Miscellaneous Business,

Which motion was carried.

On motion of Mr. Duffield,

Committee substitute for

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Callery, Colby, Coyne, Duff, Duffield, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones,

Lange, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Taylor, Tillman, Wilson, Wright—39.

In the negative were—

Messrs. Buck, De Cou, Elvins, Gibbs, Hunt, Kaiser, Layden, Shedaker, Wildrick, Willever—10.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Taylor, on leave, introduced

Assembly Bill No. 310, entitled "A supplement to an act entitled 'An act to authorize cities of the first class in this state to provide annual excursions for the children of the same,' approved March twenty-eighth, one thousand nine hundred and four,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. G. C. Henry offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Charles R. Snyder, a former member of this House, from Monmouth county.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 279, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),'"

Favorably, without amendment.

Mr. Hamill, on leave, introduced

Assembly Bill No. 311, entitled "An act confirming, validating and legalizing any deed or deeds of conveyance of or for lands, tenements, hereditaments or real estate of any decedent whose estate has been decreed to be insolvent, and whose lands have been ordered sold by any orphans' court for the purpose of paying the debts of said decedent, 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 by any substituted administrator or administrators, or by the survivors or survivor, successor or successors, of them, him or her, and making the record of said deed or deeds admissible in evidence,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Dalrymple moved that the rules be suspended and that the vote by which

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Dalrymple,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Dalrymple, were read and adopted:

Amend section one, line two, by inserting after the word "rebellion," and before the word "has," the following: "and has attained the age of sixty years or over," and by striking out the word "forty," same line, and insert in lieu thereof the word "twenty."

Amend same section, line three, by striking out the word "this," after the word "in."

Amend same section, line three, by inserting after the word "state," and before the word "service," the following: "county, township or municipal."

On motion of Mr. Dalrymple,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Hamill,

Assembly Bill No. 279, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),' "

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 213, entitled "Supplement to an act entitled 'An act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this state,' " approved April fourth, one thousand nine hundred and two,

Favorably, without amendment.

On motion of Mr. Alexander,

Assembly Bill No. 213, entitled "Supplement to an act entitled 'An act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this state,' " approved April fourth, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

The Clerk read the following announcements:

There will be a meeting of the Committee on Banks and Insurance in Revision of Laws Committe-room immediately after adjournment.

E. D. BIRKHOLZ,
Chairman.

There will be a public hearing on

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Assembly Bill No. 231, entitled "An act to provide for the general assessment and equal taxation of property,"

Before the Judiciary Committee, immediately after the adjournment of this House, in the Judiciary Committee-room.

EDWARD D. DUFFIELD,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2.30 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkhólz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright —54.

Absent—

Messrs. Gallagher, Henry F. C., Johnstone, Mills, Shaw—5.

Mr. Elvins offered the following resolution, which was read and adopted:

Resolved (the Senate concurring), That the Governor be requested to return to the House of Assembly,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

For further consideration.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Committee Substitute for

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

With the following amendment, which was read and adopted:

Section ten of the act be and is hereby amended by inserting after the word "act," in the first line, the following: "or of any previous act bearing the same title," and striking out the word "thereafter," and inserting in lieu thereof the word "hereafter."

Mr. Hildreth moved that the rules be suspended and that the vote by which

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Passed third reading and final passage, be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Hildreth moved that the rules be suspended and that the vote by which

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Hildreth,

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was taken up, read a second time, and

Mr. Hildreth offered a substitute which was read and adopted.

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Assembly Bill No. 259, entitled "An act to repeal an act entitled 'A further supplement to an act entitled "An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,'" approved April seventeenth, eighteen hundred and forty-six," which supplement was approved March twenty-second, eighteen hundred and ninety-five,

Favorably, with the following amendment, which was read and adopted:

Strike out the word "eighteen," in line three of the title of the bill, and also in line three of section one, and insert in place thereof, in both places, the words "one thousand eight."

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 40, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk

sewers,' " approved March fifteenth, one thousand eight hundred and ninety-nine,

Favorably, without amendment.

On motion of Mr. Barber,

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 259, entitled "An act to repeal an act entitled 'A further supplement to an act entited "An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,' " approved April seventeenth, eighteen hundred and forty-six," which supplement was approved March twenty-second, eighteen hundred and ninety-five,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 40, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,' " approved March fifteenth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 14th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has concurred in the following resolutions:

Resolved (the Senate concurring), That the Governor be requested to return to the House of Assembly,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

For further consideration.

Resolved (the Senate concurring), That

Assembly Bill No. 2, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved January fourteenth, one thousand eight hundred and ninety-eight,

And

Assembly Bill No. 25, entitled "A further supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'"

Which have passed both Houses of this Legislature, and are now in the hands of the Governor, be returned to this House for further consideration.

HOWARD L. TYLER,
Secretary of the Senate.

At the request of Mr. Duff, the unanimous consent of the House was given for the withdrawal from the files of

Assembly Bill No. 93, entitled "An act relating to the water supply of cities,"

Mr. Duff, on leave, introduced

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment for water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Birkholz, on leave, introduced

Assembly Bill No. 313, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourth, one thousand eight hundred and eighty,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 314, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. De Cou offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Warren A. Flemming, a former member of this House of Mercer county.

On motion of Mr. Birkholz the Senate amendments to

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Was taken up, read a second time, and the Speaker asked the question, shall the Senate amendments to

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Have a third reading?

Which was agreed to.

On motion of Mr. Mattheus,

Committee substitute for

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employes of paid fire departments in cities of the first class in this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Jones, Lange, Layden, Loveridge, Mabie, Marelli, Martin, Mattheus, Murphy, Pennington, Perkins, Reed, Riordan, Scott, Scovel, Shedaker, Tillman, Wildrick, Willever, Wright—41.

In the negative were—

Messrs. Birkholz, Colby, Duffield, Kaiser, Lehlbach, Manners—6.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Duffield,

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

Was taken up, read a second time.

Mr. Duffield offered the following Committee amendments to

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

Amend section one (1), line five (5), by inserting at the beginning thereof the words "Tuesday of May in the present year, and on or before the first," and by inserting in said line, after the word "each," the word "subsequent."

Amend section two, line one, by striking out the word "June" and substituting in lieu thereof the word "August," and by adding at the end of said section the words "Provided that the right of hearing as now prescribed by law shall be in no wise restricted or abridged."

Amend section three (3), line four (4), by striking out the word "September" and inserting in lieu thereof the word "October."

Amend section three, line eight, by inserting after the word "authorities" the words "and said property shall not be subject to any other tax."

Amend section three, line twelve, by striking out the words "and one-half."

Which were read by the Clerk, and on motion of the same gentleman said amendments were adopted.

Mr. Hamill offered the following amendments to

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxa-

tion of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

AMENDMENT No. 1.

Amendment to Assembly Bill No. 1, by Mr. Hamill:

Strike out sections one, two, three, four, five and six and instead thereof insert the following:

1. All property legally subject to tax shall be assessed for taxation according to its full fair market value in each taxing district, and taxes shall be paid thereon at the local rate to each collector in such taxing district, except as hereinafter provided.

2. The property defined in law as the "main stem" of railroads and canals shall be assessed by the state board of assessors, at full fair market value for railroad or canal purposes, and taxes shall be paid thereon to the state treasurer at the average of the local rate prevailing each year in the several taxing districts through which said "main stem" extends; such part of the tax collected from each taxing district, as equals one per centum of the assessed value of the property assessed in such district, shall be retained by the state for state purposes; and the balance shall be paid by the state treasurer to the several taxing districts through which such "main stem" extends, in proportion to the mileage of such main stem in each taxing district.

3. That portion of the "main stem" of railroad and canal property, known as the terminal stations or depots for the reception of passengers and freight, or either, ferries and ferry houses, together with all docks, piers, bulkheads and wharves, and all lands under water purchased from the state shall be included in the local assessment in each taxing district, and taxed at the local rate.

4. The franchise and tangible personal property of railroads and canals (excepting ferry boats and other boats used exclusively in any taxing district, which shall be assessed and taxed in such district) shall be assessed by the state board of assessors at full fair market value; and taxes shall be paid to the state treasurer thereon, at the average of the local tax rates throughout the state; one per centum thereof shall be retained for state purposes, and the balance thereof shall be paid to the collectors of the several taxing districts throughout the state in proportion to the assessed value of property in the several taxing districts.

5. Any taxing district or railroad or canal corporation, which shall be aggrieved by the assessment of the local assessors, or of the state board of assessors, may appeal from the assessment of such assessor or assessors within thirty days after the making of said assessment to the state board of taxation; which board shall summarily hear and determine such appeal, in the same manner as other tax appeals are now heard and determined by the said board, and in accordance with the laws now governing said board.

6. All acts and parts of acts, general, special or local, and all charter provisions, inconsistent herewith are hereby repealed; *provided, however,* that this act shall not be held to repeal or invalidate the provisions of the act entitled "An act to revise and amend an act for the taxation of railroad and canal property," approved April tenth, eighteen hundred and eighty-four, which act of revision and amendment was approved March twenty-seventh, eighteen hundred and eighty-eight, except in so far as the said acts or any part thereof or any amendment thereto or supplement thereto may be inconsistent with the provisions of this act.

7. This act shall take effect immediately.

On the adoption of which the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Willever—12.

In the negative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—40.

The Speaker thereupon declared the amendments lost.

Mr. Hamill offered the following amendments to

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was ap-

proved March twenty-seventh, one thousand eight hundred and eighty-eight,

AMENDMENTS No. 2.

Amend by adding at the end of section one the words "the term 'main stem' of each railroad as used in this act shall be held to include the roadbed not exceeding one hundred feet in width, with the improvements thereon; but every such roadbed assessed as main stem shall have at least one terminus or the other thereof either a passenger station regularly maintained for the reception and discharge of passengers, or a freight station regularly maintained for the reception and discharge of freight in any quantity which may be offered for shipment or consigned for delivery thereat."

On the adoption of which the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Willever—12.

In the negative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—40.

The Speaker thereupon declared the amendments lost.

Mr. Hamill offered the following amendments to

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

AMENDMENTS No. 3.

Amend by inserting the words "subdivision one (1) and" in the following places:

1. In section one, line three, after the word "of" and before the word "subdivision."

2. In section one, line fourteen, after the word "in" and before the syllable "sub."

3. In section four, line five, after the word "of" and before the word "subdivision."

On the adoption of which the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Willever—12.

In the negative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—40.

The Speaker thereupon declared the amendments lost.

Mr. Hamill offered the following amendments to

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,'" which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

AMENDMENTS No. 4.

Amend section one as follows:

In line one strike out the word "the" and insert instead thereof the word "all."

In lines two and three strike out the words "separately valued and assessed under the provisions of subdivision two (2) of section three (3) of said act."

In lines twelve and thirteen strike out the words "other than main stem" and insert instead thereof the words "and the."

In lines fourteen and fifteen strike out the words "and being the property referred to in subdivision two (2) of section three (3) of said act."

On the adoption of which the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Willever—12.

In the negative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—40.

The Speaker thereupon declared the amendments lost.

On motion of Mr. Duffield,

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Elvins,

Assembly Bill No. 183, entitled "An act to amend an act entitled 'An act to further amend an act entitled "An act to incorporate the chosen freeholders in the respective counties of this state," ' approved April sixteenth, one thousand eight hundred and forty-six," which further amendment was approved March fourteenth, one thousand eight hundred and seventy-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser,

Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—50.

In the negative was Mr. Hunt—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Reed moved that the rules be suspended and that the vote by which

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Be placed back on second seading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Reed,

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, and the following amendments, proposed by Mr. Reed, were read and adopted:

Strike out section one, and insert in lieu thereof:

1. Whenever at an election heretofore or hereafter to be held for the purpose of obtaining the consent of the legal voters of such municipality for the purpose of issuing bonds and obligations named and described in the seventy-third section of the act to which this act is a supplement, it shall appear that a majority of those who voted on the said proposition shall have voted or shall vote in favor thereof, it shall be lawful for the city council

to issue the said bonds and obligations the same as though said resolution had been or may be approved by a majority of the legal voters of said municipality, anything in said act to the contrary notwithstanding; and such bonds and obligations when so issued shall have the same force and effect as if said resolution had been approved at said election by a majority of the voters voting at such election.

On motion of Mr. Reed,

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 180, entitled "An act authorizing the sinking fund commissioners of certain municipalities in this state to cancel the municipal bonds of such municipalities held by them,"

Assembly Bill No. 181, entitled "A supplement to an act authorizing the issue of tax arrearage bonds in cities," approved April twenty-first, one thousand eight hundred and seventy-six,

Assembly Bill No. 236, entitled "Supplement to an act entitled 'An act concerning firemen's relief associations,'" approved March twenty-fifth, one thousand eight hundred and eighty-five,

Assembly Bill No. 230, entitled "An act to amend an act entitled 'An act concerning consolidated cities and annexed municipalities and townships or portions thereof,'" approved March twenty-second, nineteen hundred,

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Assembly Bill No. 290, entitled "An act concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children,"

And

Senate Bill No. 79, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " approved April third, one thousand nine hundred and two,

Favorably, without amendment.

Mr. Miller moved that the rules be suspended and that the vote by which

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Passed third reading and final passage, be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miler, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—52.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Miller moved that the rules be suspended and that the vote by which

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Miller,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Miller, were read and adopted:

Amend sections one and two of Assembly No. 90 so as to read as follows:

1. The moneys to be hereafter expended annually for the maintenance of the New Jersey home for soldiers, sailors, marines and their wives and widows, established under chapter one hundred and seventy-four of the laws of one thousand eight hundred and ninety-eight and chapter sixty-seven of the laws of one thousand nine hundred and three, and the acts supplemental thereto and amendatory thereof, shall be limited to the amount or sums of money stated and appropriated in the annual appropriation bills.

2. No inmate maintained in said home under either of said acts shall be required to pay any part or portion of his or her pension nor any other moneys whatsoever for and toward his or her maintenance and support in said institution.

On motion of Mr. Miller,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Taylor moved that

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Be recommitted to the Committee on Revision of Laws,

Which motion was carried.

On motion of Mr. Manners,

Assembly Bill No. 185, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Manners,

Assembly Bill No. 186, entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, one thousand nine hundred and three," which said supplement was approved April seventh, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—51.

In the negative was—Mr. Martin.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 315, entitled "An act to amend an act entitled 'An act to incorporate the chosen freeholders in the respective counties of the state,'" approved April sixteenth, one thousand eight hundred and forty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 210, entitled "An act concerning the time of payment of assessments of benefits of public improvements in towns of this state,"

Assembly Bill No. 165, entitled "A further supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand, eight hundred and ninety-five,'" which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Favorably, without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Committee substitute for

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Favorably, without amendment.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet to-morrow morning, at 10.30 A. M.

On motion of Mr. Duffield, the House then adjourned.

WEDNESDAY, March 15th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by R. B. Stephenson, D. D., Pennsgrove, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange. Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—49.

Absent—

Messrs. Boucher, Colby, Coyne, Gallagher, Johnstone, Manners, Miller, Mills, Wildrick, Wilson—10.

The minutes of the last meeting were read and approved.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 50, entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters,'" approved April fourteenth, one thousand eight hundred and forty-one,

Senate Bill No. 51, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware Bay and Maurice River Cove, in the state of New Jersey,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Favorably, without amendment.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Assembly Bill No. 276, entitled "A supplement to an act entitled 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,"

Senate Bill No. 36, entitled "A supplement to an act entitled 'A general act relating to boroughs'" (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Favorably, without amendment.

Mr. Murphy, on leave, introduced

Assembly Bill No. 316, entitled "Supplement to an act entitled 'An act concerning railroads' (Revision of 1903), approved April fourteenth, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

The same gentleman, on leave, introduced

Assembly Bill No. 317, entitled "An act to provide for the more efficient maintenance and cleaning of streets in cities of the first class of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Heck, on leave, introduced

Assembly Bill No. 318, entitled "An act providing for the installation and care of toilet-rooms on ferryboats plying over a distance of two miles or more, between any point or points in the state of New Jersey and any other state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

At the request of Mr. Mattheus, the unanimous consent of the House was given for the withdrawal from the files of

Assembly Bill No. 117, entitled "An act to regulate the keeping of the records of municipal liens in cities of the first class,"

Mr. Mattheus, on leave, introduced

Assembly Bill No. 319, entitled "An act concerning cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Pennington,

Assembly Bill No. 180, entitled "An act authorizing the sinking fund commissioners of certain municipalities in this state to cancel the municipal bonds of such municipalities held by them,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Pennington,

Assembly Bill No. 181, entitled "A supplement to an act authorizing the issue of tax arrearage bonds in cities," approved April twenty-first, one thousand eight hundred and seventy-six,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Coyne,

Assembly Bill No. 236, entitled "Supplement to an act entitled 'An act concerning firemen's relief associations,' " approved March twenty-fifth, one thousand eight hundred and eighty-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 230, entitled "An act to amend an act entitled 'An act concerning consolidated cities and annexed municipalities and townships or portions thereof,' " approved March twenty-second, nineteen hundred,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),' "

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 290, entitled "An act concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Riordan,

Assembly Bill No. 210, entitled "An act concerning the time of payment of assessments of benefits of public improvements in towns of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 165, entitled "A further supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,' " approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Committee substitute for

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hoagland,

Assembly Bill No. 276, entitled "A supplement to an act entitled 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 79, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " approved April third, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Senate Bill No. 50, entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters,' " approved April fourteenth, one thousand eight hundred and forty-one,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hildreth,

Senate Bill No. 51, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware Bay and Maurice River Cove, in the state of

New Jersey,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 36, entitled "A supplement to an act entitled 'A general act relating to boroughs'" (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,'" which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

Assembly Bill No. 40, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Assembly Bill No. 175, entitled "An act to repeal sundry statutes,"

Assembly Bill No. 213, entitled "Supplement to an act entitled 'An act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this

state,'" approved April fourth, one thousand nine hundred and two,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Assembly Bill No. 259, entitled "An act to repeal an act entitled 'A further supplement to an act entitled "An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,'" approved April seventeenth, eighteen hundred and forty-six," which supplement was approved March twenty-second, eighteen hundred and ninety-five,

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 279, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),"

And

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

With Assembly amendments

Correctly printed.

Mr. Birkholz, on leave, introduced

Assembly Bill No. 320, entitled "An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies to protect their policyholders who are not sufferers by such conflagrations,"

Which was read for the first time by its title. ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Mr. Taylor, on leave, introduced

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 18, entitled "A supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this state,' "

Favorably, without amendment.

Mr. Duffield, on leave, introduced

Assembly Bill No. 322, entitled "An act to set off a part of the city of Newark, in the county of Essex, and annex such portion so set off to the city of East Orange, in the county of Essex,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Marelli offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to Judge William J. Lewis, a former member of this House, from Passaic county.

A message was received from the Governor, by the hands of Mr. Gray, his Secretary, as follows:

EXECUTIIVE DEPARTMENT,
TRENTON, March 15, 1905.

To the Speaker and Members of the House of Assembly:

I have this day filed Senate Bill No. 2, providing for an Assistant Prosecutor in Monmouth County at a salary of fifteen hundred dollars per annum, and increasing the salaries of Assistant Prosecutors in the first class counties fifteen hundred dollars per annum. I am content to accept the legislative judgment upon this matter and do not feel it my duty to interpose objections. Having assumed my share of responsibility for the enactment of this law, may I ask your most careful consideration in all matters affecting the legislative direction or control of county and municipal affairs, especially with reference to the increase of expenses?

The burdens of taxation are constantly becoming greater. County and municipal expenditures are annually increasing. Each

year taxpayers are called upon for a larger contribution to defray the current expenses. The fixing of the salaries of local officials by legislative enactment has, in the history of our State, been of such frequent occurrence as to be no longer novel. It is difficult to see, however, how county or city officials can be held responsible for increased expenditures that are due to legislative acts. It would seem that the increase of salaries of local officials by the Legislature, instead of by local authorities, is a function that should be exercised with extreme caution.

Respectfully yours,

E. C. STOKES.

Mr. Duffield moved that the Governor's message be received and spread in full upon the minutes,

Which motion was carried.

Mr. Mattheus, on leave, introduced

Assembly Bill No. 323, entitled "An amendment to an act entitled 'An act for the punishment of crimes' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

On motion of Mr. Heck

Senate Bill No. 6, entitled "An act to repeal an act entitled 'An act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the palisades of the Hudson, and for the purpose herein specified,'" approved March fifth, one thousand eight hundred and ninety-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, DeCou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Heck,

Committee substitute for

Senate Bill No. 7, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents, in towns, townships and 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 assessment,'" approved May eighteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, DeCou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Scovel for the Speaker

Assembly Bill No. 193, entitled "A supplement to an act entitled 'An act concerning the court of chancery,'" approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C.,

Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—46.

In the negative was Mr. Perkins.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Taylor

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,' " approved March seventh, one thousand eight hundred and ninety-three,

Was taken up, and under suspension of the rules, was read a third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barker, Birkholz, Buck, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Mattheus, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Buck offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John Glaspel, a former member of this House.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—50.

Absent—

Messrs. Boucher, Colby, Coyne, Gallagher, Johnstone, Manners, Mills, Wildrick, Wilson—9.

Mr. Birkholz offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. A. Studer, a former member of this House, from the county of Essex.

On motion of Mr. Taylor

Senate Bill No. 32, entitled "An act to amend an act entitled 'An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments,'"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, De Cou, Duff, Duffield, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Mattheus, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Pennington offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. John Howe, a former member of this House.

On motion of Mr. Buck,

Assembly Bill No. 247, entitled "An act prohibting persons not members of secret societies or other organizations from wearing the badge or uniform of such orders or organizations and prescribing penalties for the violation of the provisions thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Mattheus, Miller, Murphy, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright—44.

In the negative were—

Messrs. Martin, Pearce, Perkins—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Taylor

Senate Bill No. 18, entitled "A supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this state,' "

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported:

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Favorably, without amendment.

On motion of Mr. Martin

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Martin moved that the rules be suspended and that

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Martin,

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 324, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine,' approved March ninth, one thousand nine hundred and five,"

Which was read for the first time by its title.

On motion of Mr. Lehlbach

Assembly Bill No. 324, entitled "An act to amend an act, entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine,' approved March ninth, one thousand nine hundred and five,"

Was placed on second reading without reference.

On motion of Mr. Duffield

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,'" which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Peace, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Martin moved that the rules be suspended and that

Senate Bill No. 107, entitled "An act to incorporate the borough of Highland Park, in the county of Middlesex,"

Be sent to the Senate at once, which motion was carried.

Mr. Miller moved that the rules be suspended and that the vote by which

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Miller

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Was taken up, read a second time, and the following amendments proposed by Mr. Miller were read and adopted:

Strike out the period at the end of section one, insert a comma in lieu thereof, and insert the following:

"nor the payment of moneys to the treasurer of any state board or body having control and management of any state institution as provided in section two hereof".

Add a new section, to be numbered section two, as follows:

"2. On or before the last day of each month the state treasurer, on the warrant of the comptroller, shall pay to the treasurer of every state board or body having management and control of any state institution all moneys due for the preceding calendar month from the state for the maintenance of every such institution and for the salaries and wages of all officers and employees thereof; and the moneys so paid over to the treasurer of any such board or body shall be disbursed by him to the several persons entitled to receive the same on the order of the board or body of which he is treasurer. Itemized bills for such salaries, wages and maintenance for the preceding calendar month, approved by the board or body having management or control of each state institution shall be filed by them with the comptroller not later than the tenth of each month. The vouchers of all moneys paid out and disbursed by the treasurer of every such board or body each month shall also be filed with the comptroller before the tenth day of the succeeding calendar month. All such bills and vouchers shall be audited and verified by the comptroller".

Amend by altering the numbering of sections numbered 2 and 3 in original bill accordingly.

In section 3 strike out the word "one" after the word "November," and insert in lieu thereof the word "first".

On motion of Mr. Miller,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 324, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine,' approved March ninth, one thousand nine hundred and five,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Lehlbach moved that the rules be suspended and that

Assembly Bill No. 324, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine,' approved March ninth, one thousand nine hundred and five,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Lehlbach,

Assembly Bill No. 324, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine,' approved March ninth, one thousand nine hundred and five,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Lehlbach moved that the rules be suspended and that

Assembly Bill No. 324, entitled "An act to amend an act entitled 'An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled "An act to regulate the sale of intoxicating and brewed liquors," passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine,' approved March ninth, one thousand nine hundred and five,"

Be sent to the Senate as soon as the bill is printed,

Which motion was carried.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 291, entitled "An act to repeal so much of the act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three,'" which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or af-

fect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and collection of taxes and the deduction of loan association mortgages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation,"

Favorably, without amendment.

Dr. Dalrymple, on leave, introduced

Assembly Bill No. 325, entitled "An act to repeal an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,' passed March thirty-first, eighteen hundred and ninety,"

Which was read or the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Committee substitute for

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages and other instruments,"

Favorably, without amendment.

The Speaker announced that he had appointed Messrs. Gibbs, of Camden; Hunt, of Salem, and Wildrick, of Warren, as authorized by

Senate Concurrent Resolution No. 2, entitled "Concurrent resolution for the creation of a commission to co-operate with the authorities of the state of Pennsylvania in regard to the propagation of fish in the Delaware river, and the adoption of concurrent laws relating thereto by both states."

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 15, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following concurrent resolution:

Resolved (the Senate concurring), that the Governor be requested to return to the House

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

For further consideration.

HOWARD L. TYLER,
Secretary of the Senate.

The Clerk read the following announcements:

There will be a meeting of the Committee on Municipal Corporations at 1.30 o'clock to-day.

HENRY S. SCOVEL,
Chairman.

There will be a meeting of the Committee on Corporations immediately after the close of this session.

G. H. DALRYMPLE,
Chairman.

There will be a meeting of the Committee on Militia immediately after adjournment.

A. R. FORDYCE,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2:15 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 2:15 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller,

Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—50.

Absent—

Messrs. Colby, Coyne, Duffield, Gallagher, Johnstone, Mills, Wildrick, Willever, Wilson—9.

Mr. Martin, Chairman of the Committee on Bill Revision, reported:

The Committee on Bill Revision, after considering the message of the Governor, dated March 8th, 1905, on the matter of the punctuation of bills, reports that, in its opinion, it is undesirable that the bills already introduced be reprinted until after they have passed second reading, but it recommends that all Assembly bills hereafter introduced, if punctuated, be printed in conformity with the copy introduced, and if not punctuated, be printed in conformity with the recommendation of the Governor.

The committee also submits for consideration an amendment to the rules, providing that all Assembly bills be referred without special order to the Committee on Bill Revision before being printed for the use of the members. Such a rule would have little effect during the present session, but if continued in later sessions should result in meeting the suggestions in the Governor's message.

With regard to bills already introduced, this committee recommends that all committees of the House, before reporting bills not printed in conformity with the suggestion of the Governor, correct such bills and report the same as corrected. The committee further recommends that all members interested in securing the approval of such bills cause the same to be corrected.

The rule of this House requiring all amendments to bills to be indicated on the re-print copies by underscoring and brackets would cause unnecessary confusion if applied to amendments which are merely corrections of punctuation. The committee therefore recommends the adoption of a temporary rule for the remainder of this session that all corrections in punctuation, when made upon a printed copy of a bill and offered by a committee, or by the introducer of a bill, shall, unless objected to, be made without brackets or underscoring by the Supervisor of Bills in the official re-print.

The Speaker directed that the above report be spread in full upon the minutes.

Mr. Martin offered the following resolution, which was read and adopted:

Resolved, That the printer be directed to print all bills hereafter introduced in conformity with the punctuation of the copy thereof, and in case the bill is not punctuated, then to print the same in conformity with the recommendation of the Governor printed on pages 527 and 528 of the minutes of this session.

Mr. Martin offered the following amendments to the rules of the House:

All corrections in the punctuation or capitalization of bills, when made upon a printed copy thereof and offered by a committee or by the introducer of the bill, shall, unless objected to, be made upon the official re-print by the Supervisor of Bills without brackets or underscoring.

All bills, before delivery to their respective committees and before the copies thereof for the use of the members are printed, shall without special order be referred to the Committee on Bill Revision.

Which, on motion of Mr. Lehlbach, were referred to the Committee on Rules.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899)," ' " approved February twenty-sixth, one thousand nine hundred and three,

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Favorably, without amendment.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 119, entitled "An act to amend an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,' " approved March twenty-ninth, A. D. one thousand eight hundred and ninety-seven,

Senate Bill No. 120, entitled "A supplement to an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of

penalties for violations thereof,' " approved March twenty-ninth, one thousand eight hundred and ninety-seven,

Favorably, without amendment.

And

Senate Bill No. 156, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "A supplement to an act entitled 'An act to regulate fishing with seines in Barnegat bay,' " passed February seventeenth, one thousand eight hundred and forty-two,' which supplement was approved April twenty-first, one thousand eight hundred and seventy-six," and said amendatory act approved May fourteenth, one thousand eight hundred and ninety-four,' and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight," and which further amendatory act was approved March twenty-second, one thousand nine hundred,

With the following amendments, which were read and adopted:

Amend title by adding thereto the words, "and which further supplement was approved April fourteenth, nineteen hundred and three."

Mr. Perkins, on leave, introduced

Assembly Bill No. 326, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the licensing of dogs," approved March fifteenth, one thousand eight hundred and ninety-three,' approved April ninth, eighteen hundred and ninety-six,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Layden, on leave, introduced

Assembly Bill No. 327, entitled "An act for the licensing of firemen, for the protection of life and property against loss or damage from the operation of stationary steam boilers by incompetent persons,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

Mr. Hamill, on leave, introduced

Assembly Bill No. 328, entitled "An act to amend an act entitled 'An act to revise and amend an act for the taxation of

railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, which act of revision and amendment was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Robbins, by request, on leave, introduced

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 74, entitled "An act authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose,"

Senate Bill No. 75, entitled "An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement,"

Assembly Bill No. 281, entitled "An act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipality and to extend roads to connect with such viaduct and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' " approved March twenty-eighth, nineteen hundred and four,

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

And

Assembly Bill No. 277, entitled "An act to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties,"

With the following amendment, which was read and adopted:

Amend section 1 by inserting a comma after the word "expire" in line 2, and by inserting a comma after the word "recorder" in line 6.

At the request of Mr. Scott, the unanimous consent of the House was given for the withdrawal from the files of

Assembly Bill No. 287, entitled "An act authorizing the appointment of boards of city hospital trustees, defining their powers and duties, and providing for the purchase of lands and erection and equipment of buildings for hospital purposes in the several cities in this state."

On motion of Mr. Hoagland

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill

Assembly Bill No. 281, entitled "An act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipality and to extend roads to connect with such viaduct and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' " approved March twenty-eighth, nineteen hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, and the following amendment to said bill, offered by the same gentleman, was read and adopted:

Amend line nine by inserting a comma after the word "refusal," and changing the semi-colon after the word "demanded" to a comma.

On motion of Mr. Martin,

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Van Derveer,

Assembly Bill No. 291, entitled "An act to repeal so much of the act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or affect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and collection of taxes and the deduction of loan association mortages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Reed,

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Van Derveer,

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships

(Revision, 1899)," ' " approved February twenty-sixth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Assembly Bill No. 277, entitled "An act to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Favorably, without amendment.

Mr. Miller, on leave, introduced

Assembly Bill No. 330, entitled "A supplement to 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Fordyce, Chairman of the Committee on Militia, reported

Assembly Bill No. 288, entitled "An act to provide for the purchase of a site for and the erection and equipment of a state arsenal in the city of Trenton, and making an appropriation therefor, and to provide for the taking of real estate for such site by condemnation in case the same cannot be purchased by agreement,"

And

Assembly Bill No. 289, entitled "An act to provide for the use of lands now occupied by the state arsenal at Trenton, for the purpose of enlarging the state prison,"

Favorably, without amendment.

On motion of Mr. Wright,

Senate Bill No. 119, entitled "An act to amend an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,'" approved March twenty-ninth, A. D. one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Marelli,

Senate Bill No. 120, entitled "A supplement to an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,'" approved March twenty-ninth, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Senate Bill No. 156, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "A supplement to an act entitled 'An act to regulate fishing with seines in Barnegat bay,'" passed February seventeenth, one thousand eight hundred and forty-two,' which supplement was approved April twenty-first, one thousand eight hundred and seventy-six," and said amendatory act approved May fourteenth, one thousand eight hundred and ninety-four,' and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight," and which further amendatory act was approved March twenty-second, one thousand nine hundred,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. G. C. Henry,

Senate Bill No. 75, entitled "An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 74, entitled "An act authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 289, entitled "An act to provide for the use of lands now occupied by the state arsenal at Trenton, for the purpose of enlarging the state prison,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Assembly Bill No. 288, entitled "An act to provide for the purchase of a site for and the erection and equipment of a state arsenal in the city of Trenton, and making an appropriation therefor, and to provide for the taking of real estate for such site by condemnation in case the same cannot be purchased by agreement,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Dalrymple,

Assembly Bill No. 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Lehlbach moved that the rules be suspended and that the vote by which

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Lehlbach

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, read a second time, and the following amendment proposed by Mr. Lehlbach was read and adopted:

And

2. This act shall take effect immediately.

On motion of Mr. Lehlbach

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Lehlbach moved that the rules be suspended and that

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

As amended,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Lehlbach

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Senate Bill No. 111, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey,'" approved March twenty-fourth, eighteen hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Elvins moved that the rules be suspended and that the vote by which

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Passed third reading be reconsidered,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—49.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Elvins moved that the rules be suspended and that the vote by which

Assembly Bill No. 94, enitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Elvins,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Was taken up, read a second time, and the following amendments, proposed by Mr. Elvins, were read and adopted:

Amend the title by inserting between the words "organize" and "a" the words "and establish."

On motion of Mr. Elvins,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Elvins moved that the rules be suspended and that

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Elvins,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

As amended,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Layden moved that the rules be suspended and that the vote by which

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment

of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Passed third reading be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—50.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Layden moved that the rules be suspended and that the vote by which

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to An act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Was advanced to third reading be reconsidered, and that

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Layden,

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, and the following amendment, proposed by Mr. Layden, was read and adopted:

Amend the title by striking out the word "January" after the word "approved" and before the word "fourteenth," and insert in lieu thereof the word "June".

On motion of Mr. Layden,

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Layden moved that the rules be suspended and that

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Layden,

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright —49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller moved that the rules be suspended and that

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

And

Assembly Bill No. 111, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Be sent to the Senate at once, which motion was carried.

On motion of Mr. Reed,

Assembly Bill No 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities, which act was approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—46.

In the negative was—Mr. Hoagland.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Substitute for

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),' "

Favorably, without amendment.

On motion of Mr. Scovel,

Assembly Bill No. 331, entitled "An act concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 15th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 16, entitled "An act to amend an act entitled 'A general act relating to boroughs (Revision, 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Senate Bill No 68, entitled "An act to establish a state reformatory for women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses,"

Senate Bill No. 84, entitled "An act to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sales of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor,

Senate Bill No. 105, entitled "An act to regulate the duties of tax commissioners in cities and to provide for their compensation,"

Senate Bill No. 145, entitled "Supplement to the act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,'" approved March twenty-sixth, one thousand nine hundred and two,

Senate Bill No. 151, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, nineteen hundred and three,

Senate Bill No 158, entitled "An act concerning the election and incorporation of the trustees and the management of the temporal affairs of christian congregations connected with the Presbyterian church in the United States of America,"

Senate Bill No. 163, entitled "A supplement to an act entitled 'An act concernig district courts (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 168, entitled "An act to authorize cities which have heretofore adopted, or which shall hereafter adopt, the pro-

visions of an act entitled 'An act relating to regulating and providing for the government of cities,' approved April third, anno domini one thousand nine hundred and two, to authorize the bridging of their streets under certain circumstances,"

Senate Bill No. 183, entitled "A supplement to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

And

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession,'" which act was approved April fourteenth, one thousand nine hundred and three,

With Senate amendments,

In which the concurrence of the House of Assembly is requested.

Also,

Committee substitutes for

Assembly Bill No. 58, entitled "An act to authorize boards of chosen freeholders of counties of this state to erect, upon lands owned by such counties, hospitals for the care of the insane,"

Assembly Bill No. 123, entitled "An act for the establishment of forest park reservations by and in the state of New Jersey, and for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties,"

Assembly Bill No. 147, entitled "An act to provide for short courses in practical and scientific agriculture in the state agricultural college,"

Assembly Bill No. 256, entitled "An act to amend an act entitled 'An act concerning the levying of taxes in certain municipalities,'" approved February fifteenth, one thousand nine hundred and five,

And

Assembly Bill No. 220, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free

public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, nineteen hundred and three,

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 16, entitled "An act to amend an act entitled 'A general act relating to boroughs (Revision of 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 68, entitled "An act to establish a state reformatory for women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

Senate Bill No. 84, entitled "An act to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sales of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 105, entitled "An act to regulate the duties of tax commissioners in cities and to provide for their compensation,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 145, entitled "Supplement to the act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,'" approved March twenty-sixth, one thousand nine hundred and two,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 151, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, nineteen hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

Senate Bill No. 158, entitled "An act concerning the election and incorporation of the trustees and the management of the temporal affairs of christian congregations connected with the Presbyterian church in the United States of America,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

Senate Bill No. 163, entitled "A supplement to an act entitled 'An act concerning district courts (Revision of 1898),' approved June fourteenth, one thousand eight hundred and niney-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 168, entitled "An act to authorize cities which have heretofore adopted, or which shall hereafter adopt, the provisions of an act entitled 'An act relating to regulating and providing for the government of cities,' approved April third, anno domini one thousand nine hundred and two, to authorize the bridging of their streets under certain circumstances,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 183, entitled "A supplement to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

Assembly Bill No. 282, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

Correctly printed.

Mr. Jones moved that the rules be suspended and that the vote by which

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,'" approved March twenty-seventh, eighteen hundred and seventy-four,

Was advanced to third reading be reconsidered, and that said bill be recommitted to the Committee on Revision of Laws,

Which motion was carried.

On motion of Mr. Scovel

Assembly Bill No. 253, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Barber,

Assembly Bill No. 252, entitled "A supplement to an act entitled 'An act authorizing cities of this state to extend existing water-works owned by such cities, and to issue bonds for the cost of such extension,'" approved March twenty-second, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hildreth,

Substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright —48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Hildreth moved that the rules be suspended and that

Substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Hildreth,

Substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Hamill, Henry G. C., Hildreth, Hoagland,

Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Shedaker, Taylor, Tillman, Van Derveer, Wright—43.

In the negative were—

Messrs. Gibbs, Scovel—2.

Ordered that the Speaker sign the said substitute, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Elvins, by request, on leave, introduced

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine, which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

On motion of Mr. Hamill,

Assembly Bill No. 279, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),' "

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins. Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hildreth,

Senate Bill No. 94, entitled "An act to extend the territorial boundaries of borough of Sea Isle City, in the county of Cape May and state of New Jersey, by the annexation of portions of the townships of Dennis and Upper,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Manners

Assembly Bill No. 202, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, nineteen hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Martin, on leave, introduced

Assembly Bill No. 333, entitled "An act to amend an act entitled 'An act concerning district court fees' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Scovel

Senate Bill No. 54, entitled "An act to create the office of commissioner of charities and corrections and to define his powers and duties,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth,

Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Dalrymple moved that the rules be suspended and that the vote by which

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 16, entitled "An act to amend an act entitled 'A general act relating to boroughs (Revision, 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Favorably, without amendment.

And

Assembly Bill No. 197, entitled "An act authorizing the payment before maturity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead,"

With the following amendment offered by Mr. Boucher, which was read and adopted.

Strike out the word in paragraph 2, line 3, "one-fifteenth," and insert in its stead "four per cent."

On motion of Mr. Jones,

Assembly Bill No. 264, entitled "A further supplement to an act entitled 'An act concerning district courts' (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was taken up, read a second time, and the following amendments proposed by Mr. Dalrymple were read and adopted:

Amend the title by striking out the word "forty," after the word "after" and before the word "years," and insert in lieu thereof the word "twenty."

On motion of Mr. Dalrymple,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

Mr. Dalrymple moved that the rules be suspended and that

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

As amended,

Be placed on third reading and final passage, which motion was carried.

On motion of Mr. Dalrymple,

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wright —47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, on leave, introduced

Assembly Bill No. 334, entitled "An act to amend an act entitled 'An act concerning disorderly persons' (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet Friday morning, at 10:30 o'clock, and when it then adjourn, it be to meet Monday evening next, at 8 o'clock.

On motion of Mr. Lehlbach, the House then adjourned.

FRIDAY, March 17th, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. De Cou, Speaker *pro tem.,* in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening, at 8 o'clock.

MONDAY, March 20th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. William Torrence Stuchell, of Rahway, N. J.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed. Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

Absent—Mr. Perkins—1.

The minutes of the last meeting were read and approved.

Mr. Taylor, on leave, introduced

Assembly Bill No. 335, entitled "A further supplement to an act entitled 'An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties,'" approved March thirty-first, one thousand eight hundred and eighty-seven,

Which was read for the first time by its title, ordered to have a second reading and referred to the Committee on Public Health.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 336, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Which was read for the first time by its title. ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 337, entitled "A supplement to an act entitled 'An act to provide for and regulate appeals from any district court in any city of the state to the supreme court,'" approved April third, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Birkholz, on leave, introduced

Assembly Bill No. 338, entitled "An act to repeal section eighty-one of an act entitled 'A further supplement to an act entitled "An act to provide for the incorporation and regulation of insurance companies,"'" approved April third, one thousand nine hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Mr. Mattheus, on leave, introduced

Assembly Bill No. 339, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Layden, on leave, introduced

Assembly Bill No. 340, entitled "An act to authorize certain municipalities in this state to insure their buildings,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hamill, on leave, introduced

Assembly Bill No. 341, entitled "An act to facilitate the identification of criminals,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 342, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'"

approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Duffield, on leave, introduced

Assembly Bill No. 343, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

Mr. Alexander, on leave, introduced

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The same gentleman, on leave, introduced

Assembly Bill No. 345, entitled "An act to further amend a supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Hunt, on leave, introduced

Assembly Bill No. 346, entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 20th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 22, entitled "An act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same,"

Senate Bill No. 56, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary, and the orphans' court and surrogates'" (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 80, entitled "An act to amend an act entitled 'A supplement to an act directing the descent of real estate, approved April sixteenth, one thousand eight hundred and forty-six,'" approved March ninth, eighteen hundred and seventy-seven,

Senate Bill No. 81, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates'" (Revision, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 110, entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Senate Bill No. 115, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 141, entitled "An amendment to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Senate Bill No. 173, entitled "An act to provide means for protection against fires in the territory of any incorporated camp-meeting association in this state,"

Senate Bill No 174, entitled "An act prescribing the manner in which a newly created fire district shall succeed to and take certain of the assets and liabilities of any other fire district out of which it is created,"

And

Senate Bill No. 152, entitled "An act to create a new township in the county of Burlington, to be called the township of North Hanover,"

In which the concurrence of the House of Assembly is requested.

Also,

Assembly Bill No. 61, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,' " approved March fifteenth, one thousand eight hundred and ninety-nine,

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Senate Bill No. 53, entitled "An act to incorporate the borough of Bloomsbury in the county of Hunterdon,"

Favorably, without amendment.

The Senate message was then taken up and

Senate Bill No. 22, entitled "An act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same."

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 56, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary, and the orphans' court and surrogates' " (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Senate Bill No. 80, entitled "An act to amend an act entitled 'A supplement to an act directing the descent of real estate, ap-

proved April sixteenth, one thousand eight hundred and forty-six,'" approved March ninth, eighteen hundred and seventy-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 81, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 110, entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 115, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 141, entitled "An amendment to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 173, entitled "An act to provide means for protection against fires in the territory of any incorporated camp-meeting association in this state,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 174, entitled, "An act prescribing the manner in which a newly created fire district shall succeed to and take certain of the assets and liabilities of any other fire district out of which it is created,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 152, entitled "An act to create a new township in the county of Burlington, to be called the township of North Hanover,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Township.

On motion of Mr. Duff,

Committee Substitute for

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

Was taken up, read a second time, and the following amendments, proposed by Mr. Martin, were read and adopted:

Amend by striking out the parenthesis, and the words enclosed therein, in the following places:

Section two, line three;
Section four, lines four and five;
Section five, line two;
Section seven, lines two, six, seven and eight;
Section eight, lines seven, eight and nine;
Section nine, lines two, four, six, seven and eight;
Section ten, lines two, six, seven, eight, nine, ten and fifteen;
Section eleven, lines five and six;
Section twelve, lines seven and eight;
Section thirteen, lines four, five, six to nineteen;
Section fifteen, line three;
Section sixteen, line five;
Section eighteen, lines three, four to seven.

On motion of Mr. Duff,

Committee substitute for

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Committee Substitute for

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages and other instruments,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Lehlbach, were read and adopted:

Amend line thirteen by changing the comma after the word "company" to a semi-colon, and by adding after the word "deed," the words "or instrument."

Amend line fourteen by striking out the word "and," after the word "corporation," and inserting the word "and" before the words "has been recorded."

Amend line sixteen by inserting after the word "deed," the words "or instrument."

On motion of Mr. Lehlbach,

Committee substitute for

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgage and other instruments,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Ernst offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Rufus Besson, a former member of this House, from the county of Hudson.

On motion of Mr. Boucher,

Assembly Bill No. 197, entitled "An act authorizing the payment before maturity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Senate amendments to

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession,'" which act was approved April fourteenth, one thousand nine hundred and three,

Were taken up, read a second time, and

The Speaker put the question, "Shall the Senate amendments to

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession,'" which act was approved April fourteenth, one thousand nine hundred and three,

Have a third reading,"

Which was agreed to.

Mr. Manners moved that the rules be suspended and that the vote by which

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Manners,

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Was taken up, read a second time, and the following amendment, proposed by Mr. Manners, was read and adopted:

Amend section one (1) by striking out in lines three and four the words "or police, sanitary and improvement commission, incorporated camp-meeting association or seaside resort in this state."

Mr. Duffield offered the following amendment to

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Which was read and adopted.

Amend section one by inserting at end of the ninth line the words "junk dealers, bill posters."

On motion of Mr. Taylor

Senate Bill No. 16, entitled "An act to amend an act entitled 'A general act relating to boroughs (Revision, 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Willever,

Senate Bill No. 53, entitled "An act to incorporate the borough of Bloomsbury in the county of Hunterdon,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Scott,

Assembly Bill No. 237, entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),'"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Galla-

gher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Senate amendments to

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

Were taken up under suspension of the rules, read a third time and the Speaker put the question, "Shall the House concur in Senate amendments to

Assembly Bill No. 17, entitled "An act to provide who shall act as mayor in cases of the death of the mayor of any city,"

On which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

On motion of Mr. Lehlbach,

Assembly Bill No. 88, entitled "A further supplement to an act entitled 'An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals,'" approved April third, one thousand eight hundred and sixty-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Birkhölz, Buck, Colby, Coyne, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Henry G. C., Hildreth, Hunt, Johnstone, Jones, Kaiser, Layden, Manners, Martin, Miller, Pearce, Pennington, Scott, Scovel, Taylor, Wildrick, Willever, Wilson—29.

In the negative were—

Messrs. Alexander, Baker, Barber, Boucher, Callery, Dalrymple, De Cou, Duff, Ernst, Hamill, Heck, Hoagland, Lange, Lehlbach, Loveridge, Mabie, Marelli, Mills, Murphy, Reed, Riordan, Robbins, Shedaker, Tillman, Van Derveer, Wright—26.

The Speaker thereupon declared the bill lost.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 245, entitled "An act to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof,"

Assembly Bill No. 176, entitled "An act to amend an act entitled 'An act to establish public parks in certain counties of this state, and to regulate the same,'" approved May sixth, nineteen hundred and two,

Senate Bill No. 168, entitled "An act to authorize cities which have heretofore adopted, or which shall hereafter adopt, the provisions of an act entitled 'An act relating to regulating and providing for the government of cities,' approved April third, anno domini one thousand nine hundred and two, to authorize the bridging of their streets under certain circumstances,"

And

Senate Bill No. 14, entitled "An act to provide for the appointment of an assessor of taxes in certain cities of this state, and fixing the time for making assessments and prescribing his duties,"

Favorably, without amendment.

Mr. Duffield moved that the House be placed under call.

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shedaker, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—47.

Absent—

Messrs. Boucher, Callery, Hamill, Johnstone, Jones, Mabie, Mattheus, Murphy, Perkins, Riordan, Shaw, Taylor, —12.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 165, entitled "A further supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,'" which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Assembly Bill No. 180, entitled "An act authorizing the sinking fund commissioners of certain municipalities in this state to cancel the municipal bonds of such municipalities held by them,"

Assembly Bill No. 181, entitled "A supplement to an act authorizing the issue of tax arrearage bonds in cities," approved April twenty-first, one thousand eight hundred and seventy-six.

Assembly Bill No. 210, entitled "An act concerning the time of payment of assessments of benefits of public improvements in towns of this state,"

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Assembly Bill No. 230, entitled "An act to amend an act entitled 'An act concerning consolidated cities and annexed municipalities and townships or portions thereof,'" approved March twenty-second, nineteen hundred,

Assembly Bill No. 236, entitled "Supplement to an act entitled 'An act concerning firemen's relief associations,'" approved March twenty-fifth, one thousand eight hundred and eighty-five,

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Assembly Bill No 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Assembly Bill No. 276, entitled "A supplement to an act entitled 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,"

Assembly Bill No. 277, entitled "An act to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties,"

Assembly Bill No. 281, entitled "An act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting

streets or roads of such county or municipality and to extend roads to connect with such viaduct and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' " approved March twenty-eighth, nineteen hundred and four,

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Assembly Bill No. 289, entitled "An act to provide for the use of lands now occupied by the state arsenal at Trenton, for the purpose of enlarging the state prison,"

Assembly Bill No. 290, entitled "An act concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children,"

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

And

Assembly Bill No. 291, entitled "An act to repeal so much of the act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or affect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and collection of taxes and the deduction of loan association mortgages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation,"

Correctly printed.

Mr. De Cou, Chairman of the Committee on Elections, reported

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

And

Senate Bill No. 100, entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,'" approved April fourteenth, nineteen hundred and three,

Favorably, without amendment.

Mr. Miller, on leave, introduced

Assembly Bill No. 347, entitled "A supplement to an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, by request, on leave, introduced

Assembly Bill No. 348, entitled "An act to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Bill Revision.

Mr. Reed, on leave, introduced,

Assembly Bill No. 349, entitled A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Manners, on leave, introduced

Assembly Bill No. 350, entitled "An act authorizing the appointment of boards of city hospital trustees, defining their powers and duties, and providing for the purchase of lands and erec-

tion and equipment of buildings for hospital purposes, in the several cities in this State,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Robbins, on leave, introduced

Assembly Bill No. 351, entitled "An act to provide for the purchase by boards of chosen freeholders, of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 352, entitled "An act concerning municipalities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Loveridge, on leave, introduced

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Alexander, on leave, introduced

Assembly Bill No. 354, entitled "A supplement to an act entitled 'An act for the creation of a state board of children's guardians and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this state,'" approved March twenty-fourth, eighteen hundred and ninety-nine,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Pearce moved that

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Be recommitted to the Committee on Towns and Townships,

Which motion was carried.

Mr. Scott moved that the rules be suspended and that the vote by which

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Passed the House be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

The Speaker thereupon declared the motion carried.

On motion of Mr. Scott,

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Was recommitted to the Committee on Municipal Corporations.

On motion of Mr. Robbins,

Assembly Bill No. 259, entitled "An act to repeal an act entitled 'A further supplement to an act entited "An act to estab-

lish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,'" approved April seventeenth, eighteen hundred and forty-six," which supplement was approved March twenty-second, eighteen hundred and ninety-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 40, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mills,

Assembly Bill No. 215, entitled "An act to amend 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,' " approved April twenty-first, eighteen hundred and seventy-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Mills, Pearce, Reed, Robbins, Scott, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—37.

In the negative were—

Messrs. Hamill, Henry F. C., Martin—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mabie,

Committee substitute for

Assembly Bill No. 132, entitled "An act to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' approved April first, nineteen hundred and three, and the supplements and amendments thereto,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck,

Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Martin,

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 63, entitled "An act to amend an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Marelli,

Assembly Bill No. 232, entitled "An act to amend an act entitled 'An act providing for the formation and government of towns,'" approved April twenty-fourth, one thousand eight hundred and eighty-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt. Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Layden,

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices."

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck. Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Reed, Robbins, Scott, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright—46.

In the negative was—Mr. Kaiser—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Committee substitute for

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Favorably, without amendment.

On motion of Mr. Miller,

Assembly Bill No. 224, entitled "A supplement to 'An act concerning sheriffs,'" approved March fifteenth, one thousand eight hundred and seventy-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright —48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hulse,

Assembly Bill No. 290, entitled "An act concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shaw, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Heck,

Senate Bill No. 36, entitled "A supplement to an act entitled 'A general act relating to boroughs'" (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Reed,

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), ap-

proved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Shedaker, Van Derveer, Wildrick, Willever, Wilson, Wright —48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Martin, on leave, introduced

Assembly Bill No. 355, entitled "An act relative to the raising of taxes in the municipalities of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Barber, on leave, introduced

Assembly Bill No. 356, entitled "An act to amend an act entitled 'An act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof,'" approved May tenth, one thousand eight hundred and eighty-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The following amendment to

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Offered by Mr. Manners, was read and adopted:

Amend tittle by inserting period after word "borough," and strike out the words "or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts."

On motion of Mr. Manners,

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Boucher,

Assembly Bill No. 176, entitled "An act to amend an act entitled 'An act to establish public parks in certain counties of this state, and to regulate the same,' " approved May sixth, nineteen hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),' " approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 168, entitled "An act to authorize cities which have heretofore adopted, or which shall hereafter adopt, the provisions of an act entitled 'An act relating to regulating and providing for the government of cities,' approved April third, anno domini one thousand nine hundred and two, to authorize the bridging of their streets under certain circumstances,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Fordyce,

Committee Substitute for

Senate Bill No. 14, entitled "An act to provide for the appointment of an assessor of taxes in certain cities of this state, and fixing the time for making assessments and prescribing his duties,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gallagher,

Senate Bill No. 100, entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,'" approved April fourteenth, nineteen hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Taylor

Committee substitute for

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 63, entitled "An act to amend an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet to-morrow morning at 10:30 A. M.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, March 21st, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. J .A. Mets, of Somerville, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—53.

Absent—

Messrs. Callery, Mattheus, Pennington, Riordan, Willever, Wilson—6.

The minutes of the last meeting were read and approved.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 331, entitled "An act concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state,"

Assembly Bill No. 310, entitled "A supplement to an act entitled 'An act to authorize cities of the first class in this state to provide annual excursions for the children of the same,' approved March twenty-eighth, one thousand nine hundred and four,"

And

Assembly Bill No. 260, entitled "An act to authorize consolidated and annexed municipalities to make assessments for local improvements,"

Favorably, without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages and other instruments,"

Assembly Bill No. 176, entitled "An act to amend an act entitled 'An act to establish public parks in certain counties of this state, and to regulate the same,'" approved May sixth, nineteen hundred and two,

Assembly Bill No. 197, entitled "An act authorizing the payment before maturity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead,"

Assembly Bill No. 288, entitled "An act to provide for the purchase of a site for and the erection and equipment of a state arsenal in the city of Trenton, and making an appropriation therefor, and to provide for the taking of real estate for such site by condemnation in case the same cannot be purchased by agreement,"

And

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Correctly printed.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Senate Bill No. 22, entitled "An act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same,"

And

Senate Bill No. 110, entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Favorably, without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts'

(Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Favorably, without amendment.

Mr. Scovel, by request, on leave, introduced

Assembly Bill No. 357, entitled "A further supplement to an act entitled 'An act respecting constables,' "

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Heck, on leave, introduced

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 145, entitled "Supplement to the act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,' " approved March twenty-sixth, one thousand nine hundred and two,

Favorably, without amendment,

On motion of Mr. Duffield,

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,' " approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield

Assembly Bill No. 245, entitled "An act to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 331, entitled "An act concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor

Assembly Bill No. 310, entitled "A supplement to an act entitled 'An act to authorize cities of the first class in this state to provide annual excursions for the children of the same,' approved March twenty-eighth, one thousand nine hundred and four,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 260, entitled "An act to authorize consolidated and annexed municipalities to make assessments for local improvements,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Van Derveer,

Senate Bill No. 22, entitled "An act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Senate Bill No. 110, entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" ap-

proved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Senate Bill No. 145, entitled "Supplement to the act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,'" approved March twenty-sixth, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 173, entitled "An act to provide means for protection against fires in the territory of any incorporated camp-meeting association in this state,"

And

Senate Bill No. 174, entitled "An act prescribing the manner in which a newly created fire district shall succeed to and take certain of the assets and liabilities of any other fire district out of which it is created,"

Favorably, without amendment.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 359, entitled "A supplement to the act entitled 'An act in relation to county expenditures' (Revision), approved April second, one thousand eight hundred and seventy-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 360, entitled "An act relating to the time of holding the annual stated meeting of the boards of chosen freeholders in the respective counties of this state, and the appointment and terms of office of officers elected or appointed thereby,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Reed, on leave, introduced

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Martin,

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

Favorably, with the following committee amendment, which was read and adopted:

Amend section one (1), on line five (5), after the word "effect," by adding the words: "Provided, that this act shall not affect the continuance, by parole agreement, of an original contract in writing."

On motion of Mr. Jones,

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,'" approved March twenty-seventh, eighteen hundred and seventy-four,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 173, entitled "An act to provide means for protection against fires in the territory of any incorporated camp-meeting association in this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 174, entitled "An act prescribing the manner in which a newly created fire district shall succeed to and take certain of the assets and liabilities of any other fire district out of which it is created,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 165, entitled "A further supplement to an act entitled 'An act to provide for the formation, establishment and government of towns,'" approved March seventh, one thousand eight hundred and ninety-five,

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners,

Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 230, entitled "An act to amend an act entitled 'An act concerning consolidated cities and annexed municipalities and townships or portions thereof,'" approved March twenty-second, nineteen hundred,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Barber,

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Heck, Henry

G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scovel, Shaw, Taylor, Van Derveer, Wildrick, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 21, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 143, entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,'" approved March twenty-sixth, nineteen hundred and two,

Senate Bill No. 150, entitled "An act to provide for the census or enumeration of the inhabitants of this state,"

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

And

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

With Senate amendments,

In which the concurrence of the House of Assembly is requested.

Also

Assembly Bill No. 11, entitled "An act to amend an act entitled 'An act for the punishment of crimes (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 43, entitled "An act to amend an act entitled 'An act relating to and providing for the government of cities of this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-first, one thousand eight hundred and ninety-nine,

Assembly Bill No. 82, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' " approved March seventh, one thousand eight hundred and ninety-five,

Assembly Bill No. 130, entitled "An act to authorize the erection of a monument on the battlefield of Red Bank, in the county of Gloucester, and to appropriate money to pay the cost thereof,"

Assembly Bill No. 146, entitled "Supplement to an act entitled 'An act for the formation and government of villages,' " (Revision), approved February twenty-third, one thousand eight hundred and ninety-one,

Assembly Bill No. 167, entitled "A further supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,' " approved April fifth, one thousand nine hundred and four,

And

Assembly Bill No. 173, entitled "An act to amend an act entitled 'An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spirituous, vinous, malt or brewed liquors,' " approved March seventeenth, one thousand eight hundred and ninety-two,

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 143, entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,' " approved March twenty-sixth, nineteen hundred and two,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 150, entitled "An act to provide for the census or enumeration of the inhabitants of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

Which was read for the first time by its title and ordered to have a second reading.

Mr. Duffield moved that the rules be suspended and that

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

Be placed on second reading, without reference,

Which motion was carried.

On motion of Mr. Duffield,

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield moved that the rules be suspended and that

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Duffield,

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Duffield moved that the rules be suspended and that

Senate Bill No. 204, entitled "An act to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof,"

Be sent to the Senate at once, which motion was carried.

On motion of Mr. Coyne,

Assembly Bill No. 236, entitled "Supplement to an act entitled 'An act concerning firemen's relief associations,'" approved March twenty-fifth, one thousand eight hundred and eighty-five,

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Assembly Bill No. *272*, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Heck, Henry F. C., Henry G. C., Hulse, Johnstone, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Taylor, Tillman, Van Derveer, Wright—39.

In the negative were—

Messrs. Elvins, Gibbs, Hildreth, Hoagland, Hunt—5.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Dalrymple moved that the rules be suspended and that

Assembly Bill No. *272*, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof."

Be sent to the Senate at once, which motion was carried.

Mr. Scovel, on leave, introduced

Assembly Bill No. *362*, entitled "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent

settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Reed,

Senate Bill No. 74, entitled "An act authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Taylor, Tillman, Van Derveer, Wildrick, Wright —48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Reed,

Senate Bill No. 75, entitled "An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge,

Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Taylor, Tillman, Van Derveer, Wildrick, Wright —48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Reed moved that the rules be suspended and that

Senate Bill No. 74, entitled "An act authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose,"

And

Senate Bill No. 75, entitled "An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement,"

Be sent to the Senate at once, which motion was carried.

On motion of Mr. Duffield,

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Colby, Dalrymple, Gallagher, Johnstone, Martin, Pearce, Perkins, Wright—8.

In the negative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Coyne, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Lehlbach, Loveridge, Mabie, Manners, Miller, Mills, Murphy, Reed, Scovel, Taylor, Tillman, Wildrick—37.

The Speaker thereupon declared the bill lost.

Mr. Duffield moved that the rules be suspended and that the vote by which

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Was lost be reconsidered.

Mr. Duffield moved that his motion to reconsider the vote by which

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Was lost be laid on the table,

Which motion was lost.

Mr. Duffield then withdrew his original motion.

Mr. Hildreth, Chairman of the Committee on Miscellaneous Business, reported

Senate Bill No. 158, entitled "An act concerning the election and incorporation of the trustees and the management of the temporal affairs of christian congregations connected with the Presbyterian church in the United States of America,"

Favorably, without amendment.

The Clerk read the following announcements:

The Committee on Revision of Laws will meet immediately after the close of this morning's session in the Speaker's room.

LOUIS H. MILLER,
Chairman.

There will be a meeting of the Committee on Public Health immediately after this session.

B. FRANK BUCK,
Chairman.

There will be a meeting of the Committee on Banks and Insurance immediately after this morning's session in the rooms of the Committee on Revision of Laws.

EDWARD D. BIRKHOLZ,
Chairman.

There will be a meeting of the Committee on Commerce and Navigation immediately after this session.

JOHN J. GALLAGHER,
Chairman.

There will be a meeting of the Committee on Municipal Corporations at 1:30 o'clock P. M. to-day.

HENRY S. SCOVEL,
Chairman.

The Committee on Appropriations will give a public hearing on Assembly Bill No. 325, entitled "An act to repeal an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,' passed March thirty-first, eighteen hundred and ninety,"

Immediately after the close of the session to-morrow morning.

SAMUEL K. ROBBINS,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 2.30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—52.

Absent—

Messrs. Callery, Matthews, Pennington, Riordan, Tillman, Willever, Wilson—7.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—52.

Absent—

Messrs. Callery, Mattheus, Pennington, Riordan, Tillman, Willever, Wilson—7.

Mr. Duffield offered the following concurrent resolution, which was read and adopted:

WHEREAS, A bill has been this day introduced in the House of Assembly, providing for the participation by the State of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year of nineteen hundred and seven; and,

WHEREAS, The President of the Jamestown Exposition Company is that distinguished soldier and citizen, General Fitzhugh Lee, of Virginia; and,

WHEREAS, The members of the Legislature of the State of New Jersey would be glad to have General Lee address them upon the subject of the first permanent settlement in America by English-speaking people at Jamestown, Virginia, and the Exposition which is to be held to commemorate the same; therefore, be it

RESOLVED, That the House of Assembly, the Senate concurring, does hereby extend an invitation to General Fitzhugh Lee and his associates from Virginia to address the Legislature of New Jersey, on Tuesday next, March twenty-eighth, one thousand nine hundred and five.

Mr. Birkholz, Chairman of the Committee on Banks and Insurance, reported

Assembly Bill No. 320, entitled "An act to provide security against extraordinary conflagrations, and for the creation of

safety funds by fire insurance companies to protect their policy-holders who are not sufferers by such conflagrations,"

And

Senate Bill No. 122, entitled "A supplement to 'An act concerning savings banks,' " approved April twenty-first, one thousand eight hundred and seventy-six,

Favorably, without amendment.

Mr. Gallagher, Chairman of the Committee on Commerce and Navigation, reported

Assembly Bill No. 251, entitled "An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this state, and to provide for the payment of the expense of the same,"

Favorably, without amendment.

Mr. Perkins, on leave, introduced

Assembly Bill No. 363, entitled "An act to amend an act entitled 'An act concerning minors, their adoption, custody and maintenance (Revision of 1902),' "

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

The same gentleman, on leave, introduced

Assembly Bill No. 364, entitled "A further supplement to an act entitled 'An act for the punishment of crimes' (Revision of 1898),"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Alexander, on leave, introduced

Assembly Bill No. 365, entitled "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, eighteen hundred and ninety-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate amendments to

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Were taken up, read a second time and the Speaker put the question, "Shall the Senate amendments to

Assembly Bill No. 35, entitled 'An act to authorize the erection of new buildings in counties of this state for almshouse purposes,'

Have a third reading?"

Which was agreed to.

On motion of Mr. Birkholz,

Assembly Bill No. 320, entitled "An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies to protect their policyholders who are not sufferers by such conflagrations,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli,

Assembly Bill No. 251, entitled "An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this state, and to provide for the payment of the expense of the same,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. De Cou,

Senate Bill No. 158, entitled "An act concerning the election and incorporation of the trustees and the management of the temporal affairs of christian congregations connected with the Presbyterian church in the United States of America,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Senate Bill No. 122, entitled "A supplement to 'An act concerning savings banks,' " approved April twenty-first, one thousand eight hundred and seventy-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 168, entitled "An act to authorize cities which have heretofore adopted, or which shall hereafter adopt, the provisions of an act entitled 'An act relating to regulating and providing for the government of cities,' approved April third, anno domini one thousand nine hundred and two, to authorize the bridging of their streets under certain circumstances,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Layden, Lehlback, Loveridge, Mabie, Manners, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Shaw, Taylor, Van Derveer, Wildrick, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hildreth,

Senate Bill No. 85, entitled "An act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three,

Was taken up, and under suspension of the rules, was read a third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Martin, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Elvins,

Senate Bill No. 79, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernest, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lehlbach,

Committee substitute for

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages, and other instruments,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernest, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Assembly Bill No. 217, entitled "A supplement to an act entitled 'An act to promote the propagation and growth of seed oysters and to protect the natural oyster seed grounds of this state,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

With committee amendments

The following committee amendment:

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine, which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said

original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Was read and adopted:

Amend title by striking out the word "fifteenth," in line five of title, and insert in lieu thereof the words "twenty-first"

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 198, entitled "An act to provide for (the payment for) the paving, repaving, repairing and improving of paved streets and public places, and the reconstructing of sewers, and the construction and furnishing of public school buildings in any city in this state, out of moneys received from liquor licenses in such city,"

Favorably, without amendment.

Committee substitute for

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

Committee substitute for

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

And

Assembly Bill No. 268, entitled "An act to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund,"

With the following amendment, which was read and adopted:

Amend section two, line 2, by inserting after word "authorities" and before word "to" the words "with the consent of the

board or authority having charge of the finances in such municipality."

Mr. Fordyce, on leave, introduced

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900)," ' approved March twenty-fourth, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Militia.

The same gentleman, on leave, introduced

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Militia.

Mr. Coyne, on leave, introduced

Assembly Bill No. 368, entitled "An act to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Elvins,

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemetal act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to

the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Fordyce,

Assembly Bill No. 198, entitled "An act to provide for (the payment for) the paving, repaving, repairing and improving of paved streets and public places, and the reconstructing of sewers, and the construction and furnishing of public school buildings in any city in this state, out of moneys received from liquor licenses in such city,"

Was recommitted to the Committee on Municipal Corporations.

On Motion of Mr. Perkins

Assembly Bill No. 268, entitled "An act to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 218, entitled "A supplement to an act entitled 'An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions,' " approved April seventh, one thousand nine hundred and three,

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 283, entitled "An act to extend the territorial boundaries of the township of Florence in the county of Burlington by the annexation of a portion of the township of Burlington in said county,"

Assembly Bill No. 238, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved June thirteenth one thousand eight hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Colby,

Assembly Bill No. 218, entitled "A Supplement to an act entitled 'An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions,' " approved April seventh, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Shedaker,

Assembly Bill No. 283, entitled "An act to extend the territorial boundaries of the township of Florence, in the county of Burlington by the annexation of a portion of the township of Burlington, in said county,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Johnstone,

Assembly Bill No. 238, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved June thirteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach,

Senate Bill No. 16, entitled "An act to amend an act entitled 'A general act relating to boroughs (Revision, 1897),' " approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Van Derveer, Wildrick, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Martin,

Committee Substitute for

Senate Bill No. 14, entitled "An act to provide for the appointment of an assessor of taxes in certain cities of this state, and fixing the time for making assessments and prescribing his duties,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Reed moved that the rules be suspended and that

Senate Bill No. 22, entitled "An act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Reed,

Senate Bill No. 22, entitled "An act authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hulse,

Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this state (Revision of 1905),"

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Barber, Birkholz, Boucher, Buck, Colby, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—45.

In the negative was—Mr. Avis (Speaker)—1.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendments.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved (the Senate concurring), That both houses of the legislature, the Senate and General Assembly, do adjourn *sine die* on Thursday, March thirtieth, A. D. one thousand nine hundred and five, at three o'clock in the afternoon of that day.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 105, entitled "An act to regulate the duties of tax commissioners in cities and to provide for their compensation,"

Favorably, without amendment.

Mr. Duffield moved that the rules be suspended and that the vote by which

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand, eight hundred and ninety-five,' " which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Was advanced to third reading be reconsidered, and that

Assembly Bill No 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Duffield,

Assembly Bill No 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, and the following amendment, proposed by Mr. Johnstone, was read and adopted:

After the word "thereon," in line seven (7), insert the words "or an underground drain or culvert"

On motion of Mr. Duffield,

Assembly Bill No 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Assembly Bill No. 260, entitled "An act to authorize consolidated and annexed municipalities to make assessments for local improvements,"

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Assembly Bill No. 310, entitled "A supplement to an act entitled 'An act to authorize cities of the first class in this state to provide annual excursions for the children of the same,' approved March twenty-eight, one thousand nine hundred and four,"

Assembly Bill No. 331, entitled "An act concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state,"

And

Assembly Committee substitute for

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Correctly printed.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 369, entitled "An act to create flood district to be called Passaic River Flood District,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hildrith moved that the rules be suspended and that the vote by which

Committee substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Passed the House be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barker, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—50.

In the negative—None.

The Speaker thereupon declared the motion carried.

On motion of Mr. Hildreth,

Committee substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was recommitted to the Committee on Public Health.

Mr. Hildreth offered the following resolution, which was read and adopted:

Resolved, That the Senate be advised that the House has reconsidered the vote by which

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Passed the House, and that the Senate be requested to reconsider the vote by which the said bill passed the Senate, and to return the said bill to the House for further consideration.

On motion of Mr. Hamill

Senate Bill No. 105, entitled "An act to regulate the duties of tax commissioners in cities and to provide for their compensation,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 353, entitled " Asupplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 345, entitled "An act to further amend a supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 342, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and

regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 57, entitled "An act to repeal sundry acts concerning executors, and administration of intestates' estates,"

Senate Bill No. 172, entitled "An act to amend an act entitled 'An act to establish the office of register of deeds and mortgages in certain counties of this state,'" approved March seventh, one thousand nine hundred and four,

Favorably, without amendment.

And

Committee substitute for

Assembly Bill No. 262, entitled "An act relative to the publication of the laws of this state in the newspapers,"

Also

Assembly Bill No. 229, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898),'"

With the following amendment, which was read and adopted:

That after the word "marriage," on the fourth line of the first section, and before the word "upon" there be inserted the following words: "and such child or children shall have resided with, been recognized and treated by such parents as their child or children."

On motion of Mr. Lehlbach

Assembly Bill No. 229, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898),'"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Loveridge,

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulatng proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor,

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Alexander,

Assembly Bill No. 354, entitled "A supplement to an act entitled 'An act for the creation of a state board of children's guardians and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this state,' " approved March twenty-fourth, eighteen hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hoagland,

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,' approved March twenty-first, one thousand eight hundred and ninety-five,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Senate Bill No. 57, entitled "An act to repeal sundry acts concerning executors, and administration of intestates' estates,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Senate Bill No. 172, entitled "An act to amend an act entitled 'An act to establish the office of register of deeds and mortgages in certain counties of this state,' " approved March seventh, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet to-morrow morning, at 10.30.

The Clerk read the following announcement:

There will be a hearing on

Assembly Bill No. 227, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),'" approved March twenty-third, nineteen hundred,

By the Committee on Revision of Laws Thursday, March 23d, immediately after the morning session.

LOUIS H. MILLER,
Chairman.

On motion of Mr. Duffield, the House then adjourned.

WEDNESDAY, March 22d, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. Dr. J. H. de Vries, of Princeton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—51.

Absent—

Messrs. Duff, Ernst, Hamill, Johnstone, Manners, Mattheus, Murphy, Willever—8.

The minutes of the last meeting were read and approved.

Mr. De Cou, Chairman of the Committee on Elections, reported

Assembly Bill No. 299, entitled "An act to amend 'A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," which further supplement was approved April fourteenth, one thousand nine hundred and three,

Favorably, without amendment.

Mr. Callery offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. J. Kelsey Whitaker, a former member of this House, from Hudson county.

Mr. Elvins, on leave, introduced

Assembly Bill No. 370, entitled "An act to amend section two of an act entitled 'A further supplement to an act regulating fisheries in the Mullica river,'" approved April third, one thousand eight hundred and sixty-seven,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Buck, on leave, introduced

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Scovel, on leave, introduced

Assembly Bill No. 372, entitled "An act relating to the appointment, removal, government and control of police and providing for the appointment of a board of police commissioners in towns,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

The same gentleman, by request, on leave, introduced

Assembly Bill No. 373, entitled "An act concerning the court of chancery,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Hoagland offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Edward E. Cooper, a former member of this House from the county of Somerset.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Assembly Bill No. 218, entitled "A supplement to an act entitled 'An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions,' " approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 238, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved June thirteenth one thousand eight hundred and ninety-eight,

Assembly Bill No. 283, entitled "An act to extend the territorial boundaries of the township of Florence in the county of Burlington by the annexation of a portion of the township of Burlington in said county,"

Assembly Bill No. 251, entitled "An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this State, and to provide for the payment of the expense of the same,

Assembly Bill No. 320, entitled "An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies to protect their policyholders who are not sufferers by such conflagrations,"

Assembly Bill No. 268, entitled "An act to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund,"

And

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemetal act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence n a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Correctly printed.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 22, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 169, entitled " Afurther supplement to an act entitled 'An act relative to sales of land under a public statute, or by virtue of any judicial proceedings' " (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Senate Bill No. 171, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize the incorporation of rural cemetery associations, and to regulate cemeteries" (Revision), approved April ninth, one thousand eight

hundred and seventy-five,' which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five," approved April eleventh, one thousand nine hundred and four,

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

In which the concurrence of the House of Assembly is requested;

Also

Assembly Bill No. 16, entitled "An act to authorize the transfer of certain parts of public parks or open spaces, or any interests, easements or rights of way therein, where the same may be required by any municipality for a water-supply or other public uses,"

Assembly Bill No. 19, entitled "Supplement to an act entitled 'An act respecting bridges,' " approved April tenth, one thousand eight hundred and forty-six,

Assembly Bill No. 53, entitled "An act concerning the time of payment of assessments of benefits of public improvements in cities of the third class,"

Assembly Bill No. 59, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of police justices in cities of the first class," passed May eighteenth, one thousand eight hundred and ninety-four,' " which supplement was approved March seventh, eighteen hundred and ninety-five,

Assembly Bill No. 74, entitled "An act to amend an act entitled 'An act concerning townships' " (Revision 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 91, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize municipal corporations to contract for a supply of water for public uses," approved March fifteenth, one thousand eight hundred and eighty-one,' " which supplement was approved April seventeenth, one thousand eight hundred and eighty-four,

Assembly Bill No 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Assembly Bill No. 162, entitled "Supplement to 'An act to regulate term of office in municipalities,'" approved March twelfth, one thousand eight hundred and eighty,

Assembly Bill No. 172, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof," approved March twenty-second, one thousand eight hundred and ninety-five, and the several amendments thereto,

And

Assembly Joint Resolution No. 1, relating to the records of soldiers of this state on the northwestern frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine insurrection, 1899-1901, and the China relief expedition, 1900-1901.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 169, entitled "A further supplement to an act entitled 'An act relative to sales of land under a public statute, or by virtue of any judicial proceedings'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 171, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize the incorporation of rural cemetery associations, and to regulate cemeteries" (Revision), approved April ninth, one thousand eight hundred and seventy-five,' which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five," approved April eleventh, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 143, entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,' " approved March twenty-sixth, nineteen hundred and two,

Favorably, without amendment.

Assembly Bill No. 222, entitled "An act for the regulation and control of experiments in the artificial propagation of oysters and clams,"

With the following committee amendment, which was read and adopted:

Amend section 2, line 7, by inserting between the words "appurtenances" and "as" the words "not otherwise now used in protecting the oyster industry of this state, and now under the supervision of the several state oyster commissions of this state."

On motion of Mr. Miller,

Assembly Bill No. 222, entitled "An act for the regulation and control of experiments in the artificial propagation of oysters and clams,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Senate Bill No. 143, entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,' " approved March twenty-sixth, nineteen hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Committee substitute for

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Pearce moved that the rules be suspended and that

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Be placed on third reading and final passage,

Which motion was carried.

On Motion of Mr. Pearce

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—45.

In the negative were—

Messrs. Buck, Gibbs, Hunt, Martin—4.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Pearce moved that the rules be suspended and that

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Be sent to the Senate as soon as printed,

Which motion was carried.

On motion of Mr. Duff,

Committee substitute for

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

Was taken up, read a second time, and the following amendments, proposed by Mr. Martin, were read and adopted:

Amend section 1 by inserting in place of line 1 the words "1. Section nineteen of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 2 by inserting in place of line 1 the words "2. Section thirty-six of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 4 by inserting in place of line 1 the words "4. Section fifty of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 5 by inserting in place of line 1 the words "5. Section fifty-six of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 6 by inserting in place of line 1 the words "6. Section ninety-three of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 7 by inserting in place of line 1 the words "7. Section ninety-six of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 8 by inserting in place of line 1 the words "8. Section ninety-seven of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 9 by inserting in place of line 1 the words "9. Section ninety-eight of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 10 by inserting in place of line 1 the words "10. Section ninety-nine of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 11 by inserting in place of line 1 the words "11. Section one hundred and two of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 12 by inserting in place of line 1 the words "12. Section one hundred and three of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 13 by inserting in place of line 1 the words "13. Section one hundred and four of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 14 by inserting in place of line 1 the words "14. Section one hundred and eight of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 15 by inserting in place of line 1 the words "15. Section one hundred and thirty-seven of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 16 by inserting in place of line 1 the words "16. Section one hundred and forty-three of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 17 by inserting in place of line 1 the words "17. Section one hundred and fifty-three of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 18 by inserting in place of line 1 the words "18. Section one hundred and sixty of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend section 19 by inserting in place of line 1 the words "19. Section one hundred and seventy-one of the act to which this act is an amendment shall be amended so as to read as follows:

Amend section 20 by inserting in place of line 1 the words "20. Section one hundred and ninety-one of the act to which this act is an amendment shall be amended so as to read as follows:"

Amend the last line of bill by changing the figure 2, at the beginning of the line, to 21.

Amend section 3 by striking out the entire section and inserting in place thereof the following: "3. Section forty-five of the act to which this act is an amendment shall be amended so as to read as follows: 45. The stairways of fire-escape balconies hereafter erected on tenement-houses shall be constructed and erected to fully sustain in all their parts a safe load of not less than one hundred pounds (100 lbs.) per step, utilizing a ratio of four (4) to one (1) between the safe working load and the ultimate strength of all parts, with the exception of the tread, which must safely sustain at any point at said ratio a concentrated load of two hundred pounds (200 lbs.); the treads shall be not less than

seven inches (7″) wide and the of each step not more than nine inches (9″); the treads shall be flat, open treads of cast iron not less than five-eighths of an inch (⅝″) thick, or of flat bars not over one and one-quarter inches (1¼″) wide or less than three-eighths of an inch (⅜″) thick, with spaces between not more than one inch (1″) or less than one-half of an inch (½″); such bars to be riveted to angle irons of not less than one and one-half inches (1½″) in size, secured to strings, with double rivets or bolts; the stairs be not less than twenty inches (20″) wide between inside of strings; the strings shall be not less than three inch (3″) channels of iron or steel, or other shape equally strong, and shall, at both top and bottom, rest upon and be fastened to a bracket, which shall be fastened through the wall as hereinafter provided; the stairs shall have a hand-rail of not less than three-quarter (¾″) round wrought-iron rod or pipe, on each side, not less than thirty inches (30″) or more than forty-two inches (42″) above steps at any point, and same shall be secured and well braced; the stairways shall be placed at an angle no steeper than sixty degrees.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 336, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Senate Bill No. 171, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize the incorporation of rural cemetery associations, and to regulate cemeteries" (Revision), approved April ninth, one thousand eight hundred and seventy-five,' which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five," approved April eleventh, one thousand nine hundred and four,

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 351, entitled "An act to provide for the purchase by boards of chosen freeholders, of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,"

With the following committee amendments,

Which were read and adopted.

1. Amend section 3 by inserting after the word "roads" in line 9 the following words: as follows, first in payment of any deficiency remaining due from the state to any county or counties in any previous year, for one-third of the cost of turnpike or toll roads purchased as aforesaid and afterwards. Also by striking out the word "each" in line 11 and inserting in place thereof the words the current, also by inserting after the word "year" in line 15 the words for such deficiency, if any, and (2) amend section 4 by striking out all that part of the section following the word "deficiency" in line 12 and inserting in place thereof the words until such time as the same shall be paid by the state, as provided by section three of this act.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 355, entitled "An act relative to the raising of taxes in the municipalities of this state,"

With the following committee amendment,

Which was read and adopted:

Amend section one, line one, by striking out the word "first" at the end of said line, and inserting the word "second" in lieu thereof.

Mr. Duffield moved that the rules be suspended and that the vote by which

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Duffield,

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Was taken up, read a second time, and the following amendments proposed by Mr. Duffield were read and adopted:

Amend the title by changing the word "court" to the word "board."

Amend section 1, line 2, by changing the word "Court" to the word "Board"; line 1, by changing the word "court" to the word "board"; line 3, by striking out the word "judge" and by substituting the word "four" for the word "two"; line 4, by changing the word "judges" to the word "members"; line 7, by inserting the word "associate" between the words "the" and "members," by changing the period to a comma, by inserting after such comma the word "and" and by changing the capital in the word "each" to a small letter; line 9, by changing the comma after the word "office" to a period and by inserting, in place of the words "and each member," the words "The president"; line 10, by striking out the word "thereof" and inserting before the word "payable" the words "and each associate member shall receive an annual salary of three thousand five hundred dollars, which salaries shall be"; line 11, by inserting, in place of the first eight words, the words "and shall be in lieu of any allowance for expenses. The said board"; line 15, by striking out the word "judge" and changing the word "court" to the word "board"; line 16, by changing the period to a semi-colon, striking out the word "The" and changing the word "court" to "board"; line 18, by changing the semi-colon after the word "governor" to a period, and making the balance of the section read

"Immediately after the organization of said board its associate members shall, by lot, determine which of said associate members shall continue in office for four years, which for three years, which for two years and which for one year; and thereupon their terms shall be for the period thus resulting, and a minute thereof shall be deposited with the secretary of state."

Amend by changing the word "court" to the word "board" in the following places:

Section 2, lines 1, 7, 8 (both places) and 10.
Section 3, lines 5, 10, 20, 25, 32, 37, 38.
Section 4, line 1.
Section 5, lines 1, 4, 8.
Section 6, lines 1, 4, 7, 9, 10, 11, 12.
Section 7, lines 1, 5 (both places), 6, 12, 13.
Section 8, lines 1, 4, 5, 15, 18 (both places).
Section 9, lines 1, 4.
Section 10, line 8 (both places).

Amend Section 2, line 1, by striking out the words "shall be a court of record, and"; line 9, by inserting between the words "one" and "of" the words "or more."

Amend Section 3, line 9, by inserting between the word "companies" and the semi-colon the words "as contributes to such common cause"; line 17, by inserting before the word "is" the words "bearing such common burden."

Amend section 9, line 2, by changing the word "two" to the word "three."

Mr. Robbins moved that the rules be suspended and that the vote by which

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Be placed back on second reading for the purpose of amendment;

Which motion was carried.

On motion of Mr. Robbins,

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Was taken up, read a second time, and the following amendment proposed by Mr. Robbins was read and adopted:

Amend section one (1) by striking out the word "six," in line four (4) and inserting in place thereof the word "five."

On motion of Mr. Robbins,

Senate Bil No. 171, entited "An act to amend an act entited 'A suppement to an act entited "An act to authorize the incorporation of rural cemetery associations, and to regulate cemeteries" (Revision)', approved April ninth, one thousand eight hundred and seventy-five,' which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five," approved April eleventh, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach

Assembly Bill No. 336, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved Aprl third, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 351, entitled "An act to provide for the purchase by boards of chosen freeholders of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duffield,

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Assembly Bill No. 217, entitled "A supplement to an act entitled 'An act to promote the propagation and growth of seed

oysters and to protect the natural oyster seed grounds of this state,'" approved March twenty-first, one thousand eight hundred and ninety-nine,

Was recommitted to the Committee on Game and Fisheries.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee substitute for

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Mr. Duffield moved that 500 additional copies of

Committee substitute for

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Be ordered printed,

Which motion was carried.

On motion of Mr. Miller,

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

And

The committee substitute for the same

Were recommitted to the Committee on Municipal Corporations.

On motion of Mr. Martin,

Assembly Bill No. 355, entitled "An act relative to the raising of taxes in the municipalities of this state,"

As amended,

Was taken up, read a second time, and the following amendments proposed by Mr. Martin were read and adopted:

Amend by striking out the comma in line 5, between the words "comptroller" and "where."

Amend by inserting a comma in line 9, between the words "tax" and "from."

Amend line 1 by striking out the words "governing body," and inserting in place thereof the words "board or body having control of the finances."

On motion of Mr. Martin,

Assembly Bill No. 355, entitled "An act relative to the raising of taxes in the municipalities of this state,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 249, entitled "An act to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded and where the grantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years,"

Favorably, without amendment.

On motion of Mr. Loveridge,

Assembly Bill No. 249, entitled "An act to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded and where the grantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scott

Committee substitute for

Assembly Bill No. 113, entitled "An act providing for the pensioning of policemen, their widows, orphans or dependent parents,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Heck, Henry F. C., Henry G. C., Hildreth,

Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—45.

In the negative was—Mr. Hoagland—1.

Ordered that the Speaker sign the said substitute, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Martin,

Assembly Bill No. 277, entitled "An act to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Hency F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Riordan,

Assembly Bill No. 210, entitled "An act concerning the time of payment of assessments of benefits of public improvements in towns of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Pennington,

Assembly Bill No. 181, entitled "A supplement to an act authorizing the issue of tax arrearage bonds in cities," approved April twenty-first, one thousand eight hundred and seventy-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Pennington moved that the rules be suspended and that

Assembly Bill No. 181, entitled "A supplement to an act authorizing the issue of tax arrearage bonds in cities," approved April twenty-first, one thousand eight hundred and seventy-six,

Be sent to the Senate at once,

Which motion was carried.

Mr. Buck, by request, on leave, introduced

Assembly Bill No. 374, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Scovel

Assembly Bill No. 331, entitled "An act concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—49.

In the negative was—Mr. Miller—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 375, entitled "An act for the protection of minors,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

On motion of Mr. Reed,

Senate Bill No. 173, entitled "An act to provide means for protection against fires in the territory of any incorporated camp-meeting association in this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wilson, Wright —48.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 150, entitled "An act to provide for the census or enumeration of the inhabitants of this state,"

Favorably, without amendment.

On motion of Mr. Reed,

Senate Bill No. 174, entitled "An act prescribing the manner in which newly created fire district shall succeed to and take certain of the assets and liabilities of any other fire district out of which it is created,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Mur-

phy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Jones

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Taylor

Assembly Bill No. 260, entitled "An act to authorize consolidated and annexed municipalities to make assessments for local improvements,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck,

Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Birkholz, on leave, introduced

Free Public Library Newark, New Jersey

Assembly Bill No. 376, entitled "An act to amend an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the

enforcement thereof,' " approved March twenty-fourth, one thousand nine hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Labor and Industries.

Mr. Colby, Chairman of the Committee on Education, reported

Senate Bill No. 148, entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporatons, in certain cases,"

With the following committee amendments,

Which were read and adopted.

1. Amend section 1 by inserting after the word "tenements," in line 10, the words "are dedicated."

2. Amend section 3 by striking out the word "fifteen," in line 8, and substituting therefor the word "ten"

On motion of Mr. Hulse,

Senate Bill No. 150, entitled "An act to provide for the census or enumeration of the inhabitants of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Senate Bill No. 148, entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations, in certain cases,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 207, entitled "An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein justices of the Peace in place of Justices of the Peace whose terms expire on the first day of May, one thousand nine hundred and five,"

Assembly Bill No. 356, entitled "An act to amend an act entitled 'An act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof,'" approved May tenth, one thousand eight hundred and eighty-four,

Assembly Bill No. 346, entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same,"

Senate Bill No. 141, entitled "An amendment to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Favorably, without amendment.

And

Assembly Bill No. 30, entitled "An act authorizing cities of this state which own or operate a system of water works for the supply of water to the inhabitants thereof or which may now or hereafter be engaged in the erection or construction of a system of water works for the purposes aforesaid, to acquire within or without the boundaries of said city rights of way for laying and maintaining water pipe for use in connection with such system of water-works,"

With the following committee amendments,

Which were read and adopted.

Amend section 2 by adding thereto the following:

Provided that nothing in this section contained shall authorize the condemnation of property of any railroad corporation necessary for the proper operation of its railroad

The Clerk read the following announcements:

There will be a meeting of the Committee on Militia immediately after adjournment

ALEXANDER F. FORDYCE.

The Committee on Public Health will meet immediately after this session.

B. FRANK BUCK,
Chairman.

There will be a meeting of the Committee on Corporations immediately after this session.

GEORGE H. DALRYMPLE,
Chairman.

There will be a meeting of the Committee on Labor and Industries at 2:30 o'clock to-day in the rooms of the Committee on Laws.

WILLIAM PENNINGTON,
Chairman.

There will be a meeting of the Committee on Towns and Townships to-morrow, March 23d, at 12 o'clock.

CORNELIUS C. PEARCE,
Chairman.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—54.

Absent—

Messrs. Boucher, Ernst, Manners, Mattheus, Willever—5.

Mr. Fordyce, Chairman of the Committee on Militia, reported

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900)," ' approved March twenty-fourth, one thousand nine hundred and three,"

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

With committee amendments.

The following committee amendment to

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900)," ' approved March twenty-fourth, one thousand nine hundred and three,"

Was read and adopted.

Amend section 7, line 9, by inserting after the word "brigadier-general" the words "one inspector-general of rifle practice with the rank of brigadier-general."

The following committee amendment to

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

Was read and adopted:

Amend section 8, line 7, by adding after the word "quartermaster" the word "general."

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Favorably without amendment.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 258, entitled "An act to amend an act entitled 'An act to protect the health of boys and girls, and secure to parents the control of their children,' " approved March tenth, one thousand eight hundred and eighty,

And

Assembly Bill No. 302, entitled "An act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures,' " approved April eighth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

Mr. Johnstone, on leave, introduced

Assembly Bill No. 377, entitled "An act to create a board of railroad commissioners for the state of New Jersey, and prescribe their powers and duties,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

Mr. De Cou offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. W. L. Wilbur, a former member of this House from the county of Mercer.

Mr. Pennington, Chairman of the Committee on Labor and Industries, reported

Assembly Bill No. 177, entitled "An act to secure the payment of laborers, mechanics and other persons employed upon or furnishing materials toward the maintenance of any water works owned or controlled by municipalities of this state,"

Senate Bill No. 140, entitled "Supplement to an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof,' " approved March twenty-fourth, one thousand nine hundred and four,

Favorably, without amendment.

Mr. Johnstone offered

Assembly Concurrent Resolution No. 1, to provide for the appointment of commissioners to further examine into and report upon the question of what legislation, if any, is advisable regarding the Morris canal.

On motion of Mr. Duffield, the Assembly Concurrent Resolution No. 1, offered by Mr. Johnstone, was laid on the table.

On motion of Mr. Hildreth,

Assembly Bill No. 30, entitled "An act authorizing cities of this state which own or operate a system of water works for the supply of water to the inhabitants thereof or which may now or hereafter be engaged in the erection or construction of a system of water works for the purposes aforesaid, to acquire within or without the boundaries of said city rights of way for laying and maintaining water pipe for use in connection with such system of water work,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Loveridge,

Assembly Bill No. 207, entitled "An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein Justices of the Peace in place of Justices of the Peace whose terms expire on the first day of May, one thousand nine hundred and five,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Barber,

Assembly Bill No. 356, entitled "An act to amend an act entitled 'An act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof,'" approved May tenth, one thousand eight hundred and eighty-four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Miller,

Committee Substitute for

Assembly Bill No. 262, entitled "An act relative to the publication of the laws of this state in the newspapers,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Fordyce,

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900)," ' approved March twenty-fourth, one thousand nine hundred and three,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Fordyce,

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach

Assembly Bill No. 302, entitled "An act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures,' " approved April eighth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Assembly Bill No. 258, entitled "An act to amend an act entitled 'An act to protect the health of boys and girls, and secure to parents the control of their children,' " approved March tenth, one thousand eight hundred and eighty,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Murphy,

Assembly Bill No. 177, entitled "An act to secure the payment of laborers, mechanics and other persons employed upon or furnishing materials toward the maintenance of any water-works owned or controlled by municipalities of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hunt,

Assembly Bill No. 346, entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 141, entitled "An amendment to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 140, entitled "Supplement to an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof,'" approved March twenty-fourth, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 245, entitled "An act to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof,"

Correctly printed.

On motion of Mr. Hildreth,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Baker, Buck, Dalrymple, De Cou, Elvins, Fordyce, Gibbs, Heck, Henry F. C., Henry G. C., Jones, Layden, Loveridge, Mabie, Marelli, Mills, Pearce, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Van Derveer, Wright—26.

In the negative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Callery, Colby, Coyne, Duff, Duffield, Gallagher, Hildreth, Hoagland, Hulse, Kaiser, Lange, Lehlbach, Martin, Pennington, Perkins, Taylor, Tillman, Wildrick, Willever—23.

The Speaker thereupon declared the bill lost.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 378, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, nineteen hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hoagland, on leave, introduced

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,'" approved February fifteenth, one thousand nine hundred and five.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Baker, Chairman of the Committee on Railroads and Canals, reported

Senate Bill No. 151, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, ninteen hundred and three,

Favorably, without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 362, entitled "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Favorably, without amendment.

Mr. Marelli, on leave, introduced

Assembly Bill No. 380, entitled "An act concerning street improvements in cities,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Duff, on leave, introduced

Assembly Bill No. 381, entitled "An act to prohibit the delivery or sale of water through water mains or pipes in any municipality where there is a public water-supply, except by the municipal authorities or with their consents,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same gentleman, on leave, introduced

Assembly Bill No. 382, entitled "A supplement to an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Railroads and Canals.

On motion of Mr. Taylor,

Assembly Bill No. 310, entitled "A supplement to an act entitled 'An act to authorize cities of the first class in this state

to provide annual excursions for the children of the same,' approved March twenty-eighth, one thousand nine hundred and four,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Buck, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—46.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Shedaker,

Assembly Bill No. 283, entitled "An act to extend the territorial boundaries of the township of Florence, in the county of Burlington, by the annexation of a portion of the township of Burlington, in said county,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Perkins,

Assembly Bill No. 268, entitled "An act to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Lange, Layden, Lehlbach, Loveridge, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Van Derveer, Wright—43.

In the negative were—

Messrs. Baker, Heck, Henry G. C., Kaiser, Taylor, Wilson—6.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 200, entitled "An act for the appointment of a board for the examination and licensing of sanitary plumbers, and defining the duties and powers of said board,"

Favorably, without amendment.

And

Committee substitute for

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint Commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

On motion of Mr. Scovel,

Assembly Bill No. 362, entilted "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of

Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Scovel moved that the rules be suspended and that

Assembly Bill No. 362, entilted "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Scovel,

Assembly Bill No. 362, entitled "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Birkholz,

Assembly Bill No. 320, entitled "An act to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies to protect their policy-holders who are not sufferers by such conflagrations,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wright—53.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Committee substitute for

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

Was taken up, read a second time, and the following amendment, proposed by Mr. Robbins,

Was read and adopted:

Strike out the word "publish" in line 3 of section 2.

On motion of Mr. Robbins,

Committee substitute for

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gallagher

Assembly Bill No. 200, entitled "An act for the appointment of a board for the examination and licensing of sanitary plumbers, and defining the duties and powers of said board,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli,

Senate Bill No. 151, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, nineteen hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli

Assembly Bill No. 251, entitled "An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this state, and to provide for the payment of the expense of the same,"

Was taken up, and under suspension of the rules was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 359, entitled "A supplement to the act entitled 'An act in relation to county expenditures' (Revision), approved April second, one thousand eight hundred and seventy-eight,"

And

Assembly Bill No. 360, entitled "An act relating to the time of holding the annual stated meeting of the boards of chosen freeholders in the respective counties of this state, and the appointment and terms of office of officers elected or appointed thereby,"

Favorably, without amendment.

On motion of Mr. Gibbs,

Assembly Bill No. 359, entitled "A supplement to the act entitled 'An act in relation to county expenditures' (Revision), approved April second, one thousand eight hundred and seventy-eight,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gibbs,

Assembly Bill No. 360, entitled "An act relating to the time of holding the annual stated meeting of the boards of chosen freeholders in the respective counties of this state, and the appointment and terms of office of officers elected or appointed thereby,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet tomorrow morning, at 10:30 A. M.

On motion of Mr. Duffield, the House then adjourned.

THURSDAY, March 23d, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. J. Madison Hare, of Camden, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—54.

Absent—

Messrs. Coyne, Manners, Miller, Tillman, Willever—5.

The minutes of the last meeting were read and approved.

Mr. Scovel offered the following resolution, which was read and adopted:

Resolved (the Senate concurring), That the Governor be requested to return to the House of Assembly, for future consideration,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

On motion of Mr. Scovel,

Committee substitute for

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment for water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

Assembly Bill No. 369, entitled "An act to create flood district to be called Passaic River Flood District,"

Assembly Bill No. 368, entitled "An act to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year,"

And

Committee substitute for

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,' " approved May ninth, one thousand eight hundred and eighty-nine,

Favorably, without amendment.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 23d, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 117, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possesssion (Revision of 1903),' " approved April fourteenth, A. D. one thousand nine hundred and three,

Senate Bill No. 126, entitled "An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' " approved March twenty-first, one thousand nine hundred and one,

Senate Bill No. 162, entitled "An amendment to an act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Senate Bill No. 165, entitled "An act regulating the making of contracts in cities of the first class in this state, and the expending of money therein,"

Senate Bill No. 185, entitled "An act to amend an act entitled 'An act to regulate elections,' " approved April fourth, one thousand eight hundred and ninety-eight,

Senate Bill No. 186, entitled "Supplement to an act entitled 'An act to regulate elections,' " approved April fourth, one thousand eight hundred and ninety-eight,

Senate Bill No. 193, entitled "An act respecting soldiers' monuments,"

Senate Bill No. 205, entitled "An act authorizing the appointment in counties of the first class in this state of an interpreter of the Polish and Russian languages to the court of common pleas, circuit court, orphans' court, court of general quarter sessions of the peace, court of special sessions, and the public offices connected therewith, and fixing the salary of such interpreter,"

In which the concurrence of the House of Assembly is requested.

And

Assembly Bill No. 42, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Assembly Bill No. 63, entitled "A supplement to an act entitled 'An act concerning villages which have been or shall become separate from the township in which they were or are contained, and which have been or shall be given complete autonomy of local government,' " approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 81, entitled "An act to authorize townships of this state to establish and maintain a fire limit therein, and to provide for the proper enforcement thereof,"

Assembly Bill No. 144, entitled "A supplement to an act entitled 'An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery,

and counsellors-at-law,' " approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 150, entitled "A supplement to an act entitled 'An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state,' " approved February twentieth, one thousand eight hundred and ninety-five,

Assembly Bill No. 158, entitled "A supplement to an act entitled 'An act relative to the court of errors and appeals (Revision 1900),' approved March twenty-third, one thousand nine hundred,"

Assembly Bill No. 168, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

Assembly Bill No. 178, entitled "Supplement to an act entitled 'An act for the assessment and collection of taxes," approved April eighth, nineteen hundred and three,

Assembly bill No. 185, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Assembly Bill No. 186, entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, one thousand nine hundred and three," which said supplement was approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 187, entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act to provide for the control and operation of roads and bridges owned or claimed to be owned by any plank-road company whose charter has expired or may expire," approved March twenty-second, one thousand nine hundred and one,' " which further supplement was approved March twenty-eighth, one thousand nine hundred and four,

Assembly Bill No. 194, entitled "Supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' " approved March seventh, one thousand eight hundred and ninety-five,

Assembly Bill No. 202, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, nineteen hundred and three,

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 117, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, A. D. one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 126, entitled "An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Senate Bill No. 162, entitled "An amendment to an act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 165, entitled "An act regulating the making of contracts in cities of the first class in this state, and the expending of money therein,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 185, entitled "An act to amend an act entitled 'An act to regulate elections,'" approved April fourth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Senate Bill No. 186, entitled "Supplement to an act entitled 'An act to regulate elections,'" approved April fourth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Senate Bill No. 193, entitled "An act respecting soldiers' monuments,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Militia.

Senate Bill No 205, entitled "An act authorizing the appointment in counties of the first class in this state of an interpreter of the Polish and Russian languages to the court of common pleas, circuit court, orphans' court, court of general quarter sessions of the peace, court of special sessions, and the public offices connected therewith, and fixing the salary of such interpreter,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Buck, Chairman of the Committee on Public Health, reported

Committee substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Favorably, without amendment.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Assembly Bill No. 370, entitled "An act to amend section two of an act entitled 'A further supplement to an act regulating fisheries in the Mullica river,'" approved April third, one thousand eight hundred and sixty-seven,

Favorably without amendment.

On motion of Mr. Scott,

Committee substitute for

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hildreth,

Committee substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Duff,

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment of water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Dalrymple,

Assembly Bill No. 369, entitled "An act to create flood district to be called Passaic River Flood District,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Coyne,

Assembly Bill No. 368, entitled "An act to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 23d, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has reconsidered the vote by which

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Passed the Senate, and said bill, having been reconsidered, is hereby returned to the House of Assembly.

As per request of resolution, dated March twenty-first.

HOWARD L. TYLER,
Secertary of the Senate.

On motion of Mr. Boucher

Assembly Bill No. 197, entitled "An act authorizing the payment before maturnity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Colby,

Assembly Bill No. 218, entitled "A supplement to an act entitled 'An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions,'" approved April seventh, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lange

Senate Bill No. 105, entitled "An act to regulate the duties of tax commissioners in cities and to provide for their compensation,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hildreth,

Senate Bill No. 50, entitled "A supplement to an act entitled 'An act for the preservation of clams and oysters,'" approved April fourteenth, one thousand eight hundred and forty-one,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hildreth,

Senate Bill No. 51, entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware Bay and Maurice River Cove, in the state of New Jersey,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—50.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 23d, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has reconsidered the vote by which

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Passed the Senate, and said bill having been reconsidered, is hereby returned to the House of Assembly as per request of resolutions dated March twenty-first.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Hamill,

Senate Bill No. 47, entitled "An act to appropriate money for the erection of a memorial monolith, commemorative of the state of New Jersey as one of the thirteen original states, to be placed in the memorial portico of the memorial continental hall, about to be erected in the city of Washington, in the District of Columbia, under the auspices of the Daughters of the American Revolution,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—51.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Barber,

Senate Bill No. 150, entitled "An act to provide for the census or enumeration of the inhabitants of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Taylor, Van-Derveer, Wildrick, Wilson, Wright—51.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hoagland,

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Fordyce, Martin, Perkins—3.

In the negative were—

Messrs. Alexander, Avis (Speaker), Baker, Buck, Colby, Gibbs, Heck, Henry G. C., Hoagland, Kaiser, Lehlbach, Mabie, Mills, Murphy, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Taylor, Van Derveer, Wildrick, Wilson—25.

The Speaker thereupon declared the bill lost.

Mr. Hoagland moved that the rules be suspended and that the vote by which

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Was lost, be reconsidered.

Mr. Hoagland moved that his motion to reconsider be laid on the table,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Colby, Dalrymple, Gibbs, Hoagland, Hunt, Jones, Lehlbach, Marelli, Martin, Perkins, Robbins, Shedaker, Wright—16.

In the negative were—

Messrs. Birkholz, Buck, De Cou, Henry G. C., Kaiser, Mills, Murphy, Pearce, Pennington, Reed, Scovel, Shaw, Van Derveer, Wilson—15.

The Speaker thereupon declared the motion carried.

On motion of Mr. Taylor

Senate Bill No. 18, entitled "A supplement to an act entitled 'An act to provide for the planting and care of shade trees on the highways of the municipalities of this state,' "

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 30, entitled "An act authorizing cities of this state which own or operate a system of water works for the supply of water to the inhabitants thereof or which may now or hereafter be engaged in the erection or construction of a system of water works for the purposes aforesaid, to acquire within or

without the boundaries of said city rights of way for laying and maintaining water pipe for use in connection with such system of water works,"

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,'" approved March twenty-fifth, nineteen hundred and four,

Assembly Bill No. 177, entitled "An act to secure the payment of laborers, mechanics and other persons employed upon or furnishing materials toward the maintenance of any water works owned or controlled by municipalities of this state,"

Assembly Bill No. 222, entitled "An act for the regulation and control of experiments in the artificial propagation of oysters and clams,"

Assembly Bill No. 229, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898),"

Assembly Bill No. 249, entitled "An act to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded, and where the guarantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years,"

Assembly Bill No. 258, entitled "An act to amend an act entitled 'An act to protect the health of boys and girls, and secure to parents the control of their children,'" approved March tenth, one thousand eight hundred and eighty,

Assembly Bill No. 262, entitled "An act relative to the publication of the laws of this state in the newspapers,"

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

Assembly Bill No. 342, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 345, entitled "An act to further amend a supplement to an act entitled "An act for the punishment of crimes (Revision of 1898),'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 346, entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same,"

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 359, entitled "A supplement to the act entitled 'An act in relation to county expenditures' (Revision), approved April second, one thousand eight hundred and seventy-eight,"

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Assembly Bill No. 302, entitled "An act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures,'" approved April eighth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 336, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 351, entitled "An act to provide for the purchase by boards of chosen freeholders of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,"

Assembly Bill No. 356, entitled "An act to amend an act entitled 'An act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof,'" approved May tenth, one thousand eight hundred and eighty-four,

Assembly Bill No. 355, entitled 'An act relative to the raising of taxes in the municipalities of this state,"

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasebrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Assembly Bill No. 360, entitled "An act relating to the time of holding the annual stated meeting of the boards of chosen freeholders in the respective counties of this state, and the appointment and terms of office of officers elected or appointed thereby,"

Assembly Bill No. 362, entitled "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemmoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

And

Senate Bill No. 148, entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations, in certain cases,"

With Assembly amendments,

Correctly printed.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Assembly Bill No. 160, entitled "An act to enable water companies to secure a sufficient water-supply,"

And

Senate Bill No. 58, entitled "An act concerning corporations of this state organized for religious, educational, charitable or benevolent purposes,"

Favorably, without amendment.

On motion of Mr. Heck,

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Heck moved that the rules be suspended and that

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Be sent to the Senate at once, which motion was carried.

On motion of Mr. Martin,

Assembly Bill No. 355, entitled "An act relative to the raising of taxes in the municipalities of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Buck, Colby, Duffield, Elvins, Ernst, Fordyce, Gibbs, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Loveridge, Martin, Mattheus, Murphy, Pennington, Perkins, Robbins, Scovel, Shedaker, Taylor, Wilson—31.

In the negative were—

Messrs. Baker, Dalrymple, De Cou, Heck, Henry G. C., Layden, Mabie, Mills, Pearce, Reed, Van Derveer—11.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requects its concurrence therein.

Mr. Martin moved that the rules be suspended and that

Assembly Bill No. 355, entitled "An act relative to the raising of taxes in the municipalities of this state,"

Be sent to the Senate at once, which motion was carried.

On motion of Mr. Robbins,

Senate Bill No. 171, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to authorize the incorporation of rural cemetery associations, and to regulate cemeteries" (Revision), approved April ninth, one thousand eight hundred and seventy-five,' which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five," approved April eleventh, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Mur-

phy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment

Mr. Johnstone moved that

Assembly Concurrent Resolution No. 1, to provide for the appointment of commissioners to further examine into and report upon the question of what legislation, if any, is advisable regarding the Morris canal,

Be taken from the table,

Which motion was carried.

On motion of Mr. Johnstone,

Assembly Concurrent Resolution No. 1, entitled "A Concurrent Resolution to provide for the appointment of commissioners to further examine into and report upon the question of what legislation, if any, is advisable regarding the Morris Canal,"

Was referred to the Commmittee on Railroads and Canals.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 349, entitled A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " which act was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Favorably, without amendment.

The Clerk read the following announcements:

There will be a meeting of the Committee on Education immediately upon adjournment of the House for noon recess.

EVERETT COLBY,
Chairman.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor of this House be extended to the Grand Lodge, Free and Accepted Masons, now in session in this city.

Mr. Buck, on leave, introduced

Assembly Bill No. 383, entitled "An act to authorize townships in this state to re-improve any road or street,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,' " approved March fourteenth, one thousand eight hundred and eighty,

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,' " approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

Favorably, with amendments.

And

Committee Substitute for

Assembly Bill No. 333, entitled "An act to amend an act entitled 'An act concerning district court fees" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Also

Assembly Bill No. 106, entitled "A supplement to an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 225, entitled "An act to amend an act entitled 'An act concerning district courts (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 294, entitled "An act to amend an act entitled 'An act to regulate the practice of courts of law (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 300, entitled "An act to amend an act entitled 'An act respecting the orphans' court,'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 347, entitled "A supplement to an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),'" approved April eighth, one thousand nine hundred and three,

Senate bill No. 24, entitled "An act to repeal an act entitled 'An act concerning official fees and rendering an account thereof,'" approved March fourteenth, one thousand eight hundred and seventy-nine, and to release penalties incurred thereunder,

Senate Bill No. 55, entitled "An act to repeal the sundry acts respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,"

Senate Bill No. 80, entitled "An act to amend an act entitled 'A supplement to an act directing the descent of real estate, approved April sixteenth, one thousand eight hundred and forty-six,'" approved March ninth, eighteen hundred and seventy-seven,

Senate Bill No. 81, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 115, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates

(Revision),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 130, entitled "An act to provide for the appointment of a commission to report to the governor and legislature some method of improving the judicial system and the system of procudure of this state,"

And

Senate Bill No. 163, entitled "A supplement to an act entitled 'An act concerning district courts (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

Mr. Robbins offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. George Childs, a former member of this House from the county of Burlington.

The following committee amendments to

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Were read and adopted:

Amend section one, line two, by striking out the word "statute" and substituting in lieu thereof the word "statutes."

Amend section one, lines three and four, by striking out the words "responsible for or by any act encouraging" and substituting in lieu thereof the words "wilfully responsible for, or by any continued negligent or wilful act encouraging."

The following committee amendment to

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Was read and adopted:

Amend section one to read as follows:

"1. When a boy or girl under the age of sixteen years shall be arrested upon complaint of any crime (except murder or man-

slaughter), or of being a disorderly person, or being habitually vagrant or being incorrigible, the magistrate before whom he or she shall be taken, shall, in counties having a probation officer or officers, forthwith commit said boy or girl to the custody of a probation officer, and in counties not having a probation officer, shall parole such boy or girl to await trial upon such conditions as the said magistrate shall determine, but without bail, or shall commit him or her to the custody of the judge of the court for the trial of juvenile offenders hereinafter established, and in all cases forthwith send the complaint to the prosecutor of the pleas of said county."

The following committee amendment to

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourteenth, one thousand eight hundred and eighty,

Was read and adopted:

Amend section one, lines eight and nine, by striking out the following words: "as the said police justice, justice of the peace, magistrate or court of record may direct."

The following committee amendment to

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,'" approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

Was read and adopted.

Amend section one by adding after line eleven the following words: "This section, however, shall not permit such magistrate to suspend the operation of any order requiring a person adjudged a disorderly person for desertion or wilful refusal or neglect to provide for and maintain his wife, or other family, to pay a sum weekly, or otherwise, for the support and maintenance of his family."

On motion of Mr. Reed,

Assembly Bill No. 349, entitled A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, and the following amendments proposed by Mr. Reed were read and adopted:

Amend section 1, line 1, by substituting the word "mayor" for the word "city" in said line.

On motion of Mr. Reed,

Assembly Bill No. 349, entitled "A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Reed,

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Coyne,

Assembly Bill No. 160, entitled "An act to enable water companies to secure a sufficient water-supply,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Wright,

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Colby,

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourteenth, one thousand eight hundred and eighty,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Colby,

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,'" approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Assembly Bill No. 106, entitled "A supplement to an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Baker,

Assembly Bill No. 300, entitled "An act to amend an act entitled 'An act respecting the orphans' court,'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Assembly Bill No. 294, entitled "An act to amend an act entitled 'An act to regulate the practice of courts of law (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. F. C. Henry,

Assembly Bill No. 225, entitled "An act to amend an act entitled 'An act concerning district courts (Revision of 1898)'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 347, entitled "A supplement to an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),'" approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Assembly Bill No. 370, entitled "An act to amend section two of an act entitled 'A further supplement to an act regulating fisheries in the Mullica river,'" approved April third, one thousand eight hundred and sixty-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wilson,

Committee Substitute for

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P.M.

AFTERNOON SESSION.

The House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer Wildrick, Wilson, Wright—52.

Absent—

Messrs. Barber, Boucher, Coyne, Duff, Ernst, Riordan, Willever —7.

Mr. Mattheus offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Leon Abbott, a former member of this House, from the county of Hudson.

Mr. Colby, Chairman of the Committee on Education, reported

Assembly Bill No. 304, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 306, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 307, entitled "An act to amend an act entitled "An act providing for the pensioning of school teachers in this state,'" approved March fifth, nineteen hundred and three,

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Favorably, without amendment.

And

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

With the following committee amendments,

Which were read and adopted:

Amend section one, line four, by inserting after the word "situate" the following, "or the collector when designated by such board of education."

Amend same section, line nine, by inserting after the word "said" the following, "collector or other."

Amend same section by striking out all after the word "therefore," in line twelve, to and including the word "accounts," in line sixteen.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 384, entitled "An act to incorporate the Borough of Laurel Springs,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

On motion of Mr. Mabie,

Senate Bill No. 58, entitled "An act concerning corporations of this state organized for religious, educational, charitable or benevolent purposes,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Mills,

Senate Bill No. 24, entitled "An act to repeal an act entitled 'An act concerning official fees and rendering an account there-

of,'" approved March fourteenth, one thousand eight hundred and seventy-nine, and to release penalties incurred thereunder,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 55, entitled "An act to repeal the sundry acts respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Charles C. McDonald, of Monmouth county, a former member of this House.

On motion of Mr. Hamill,

Senate Bill No. 80, entitled "An act to amend an act entitled 'A supplement to an act directing the descent of real estate, approved April sixteenth, one thousand eight hundred and forty-six,'" approved March ninth, eighteen hundred and seventy-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Colby,

Senate Bill No. 81, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates'" (Revision, 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Murphy,

Senate Bill No. 115, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Senate Bill No. 130, entitled "An act to provide for the appointment of a commission to report to the governor and legislature some method of improving the judicial system and the system of procedure of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Gibbs,

Senate Bill No. 163, entitled "A supplement to an act entitled 'An act concerning district courts (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Colby,

Assembly Bill No. 306, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Dalrymple,

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,'" approved March fifth, nineteen hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hoagland

Assembly Bill No. 304, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Alexander,

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gibbs,

Committee substitute for

Assembly Bill No. 299, entitled "An act to amend 'A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," which further supplement was approved April fourteenth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Fordyce,

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Tillman moved that the rules be suspended and that the vote by which

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships' " (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships' " (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Tillman,

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, and the following amendment, proposed by Mr. Tillman, was read and adopted:

Amend by striking out the words "for prizes," in the first section, fifth line.

On motion of Mr. Tillman,

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Duffield,

Committee Substitute for

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Was taken up,

And

Mr. Elvine moved that the second reading of said bill be postponed until Monday evening, when it be made a special order,

Which motion was carried.

On motion of Mr. Gibbs,

Assembly Bill No. 360, entitled "An act relating to the time of holding the annual stated meeting of the boards of chosen freeholders in the respective counties of this state, and the appointment and terms of office of officers elected or appointed thereby,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—55.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller moved that the rules be suspended and that the vote by which

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemetal act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of

oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemetal act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Miller,

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemetal act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line t the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Was taken up, read a second time, and the following amendment proposed by Mr. Miller

Was read and adopted:

Strike out all of section five, after the period in line three, and insert the following: "The oyster commissioners shall hereafter each be appointed for a term of three years; and the four members now constituting the oyster commission shall continue to hold office during the term and time for which they have been respectively appointed."

On motion of Mr. Elvins,

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemetal act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

Mr. Reed moved that the rules be suspended and that

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine," which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan

bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Be placed on third reading and final passage.

Which motion was carried.

On motion of Mr. Elvins,

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine, which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Baker, Birkholz, Boucher, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Gibbs, Hamill, Heck, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—45.

In the negative were—

Messrs. Alexander, Fordyce, Henry F. C.—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—52.

Absent—

Messrs. Barber, Boucher, Coyne, Duff, Ernst, Riordan, Willever —7.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900)," ' approved March twenty-fourth, one thousand nine hundred and three,"

Correctly printed.

Mr. Hildreth moved that the rules be suspended and that the vote by which

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was lost be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Elvins, Ernst, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Lange, Layden, Loveridge. Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Sovel, Shaw, Shedaker, Taylor, Van Derveer—42.

In the negative were—

Messrs. Alexander, Duffield, Lehlbach, Pennington, Tillman, Wildrick—6.

The Speaker thereupon declared the motion carried.

On motion of Mr. Lehlbach,

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, DeCou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Gibbs,

Assembly Bill No. 359, entitled "A supplement to the act entitled 'An act in relation to county expenditures' (Revision), approved April second, one thousand eight hundred and seventy-eight,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee substitute for

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Also,

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

And

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein,"

Both with amendments.

The following committee amendment to

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

Was read and adopted:

After the word "state," section one, line one, insert the words, "under one hundred thousand inhabitants."

The following committee amendments to

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein,"

Were read and adopted:

Amend title by striking out the words "or the construction of sewers and drains therein," in lines three and four.

Amend section one by striking out the words "or any," in line two, and the words "sewer or drain has been or shall hereafter be constructed therein," in line three.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,'" approved February fifteenth, one thousand nine hundred and five.

Favorably, without amendment.

On motion of Mr. Duffield,

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Birkholz, Buck, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—43.

In the negative were—

Messrs. Alexander, Callery, Hamill, Lange, Loveridge, Mattheus. —6.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 175, entitled "An act to repeal sundry statutes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson Wright —53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Fordyce, Chairman of the Committee on Militia, reported

Senate Bill No. 193, entitled "An act respecting soldiers' monuments,"

Favorably, without amendment.

On motion of Mr. Robbins,

Senate Bill No. 148, entitled "An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations, in certain cases,"

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendments.

On motion of Mr. Hildreth,

Assembly Bill No. 30, entitled "An act authorizing cities of this state which own or operate a system of water works for the supply of water to the inhabitants thereof or which may now or hereafter be engaged in the erection or construction of a system of water works for the purposes aforesaid, to acquire within or

without the boundaries of said city rights of way for laying and maintaining water pipe for use in connection with such system of water works,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Buck, Callery, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Jones, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Reed, Robbins, Scott, Scovel, Shaw, Taylor, Tillman, Wright—32.

In the negative were—

Messrs. Hunt, Johnstone, Kaiser, Layden, Pearce, Van Derveer—6.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Governor, by the hands of Mr. Gray, his Secretary, as follows:

EXECUTIVE DEPARTMENT,
TRENTON, March 23, 1905.

To the Speaker and Members of the House of Assembly:

My attention has been called to the condition of the laws affecting Master and servant. The present law on the subject is largely Judge-made, and has come to be a mass of legal subtleties fruitful of controversy. Chief Justice Magie declared that "To attempt to explore the adjudged cases on this subject is to bewilder one's self in a maze of decisions inconsistent with each other and often irreconcilable with the principles as the foundation of the liability of the master to a servant."

In view of the importance of the subject and the condition of the law thereon, I suggest for legislative consideration the wisdom of appointing a commission to investigate this subject and to recommend such enactment as in the judgment of the commission will relieve such a situation as Chief Justice Magie has described.

E. C. STOKES.

Mr. Scovel moved that the message from the Governor be received, spread in full upon the Journal of the House and referred to the Committee on Judiciary.

Which motion was carried.

On motion of Mr. Loveridge,

Assembly Bill No. 249, entitled "An act to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded and where the grantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone,

Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Tillman, Van Derveer, Wildrick, Wilson, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 229, entitled "A supplement to an act entitled 'An act, respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898),' "

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mabie,

Assembly Bill No. 258, entitled "An act to amend an act entitled 'An act to protect the health of boys and girls, and secure to parents the control of their children,' " approved March tenth, one thousand eight hundred and eighty,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Committee substitute for

Assembly Bill No. 262, entitled "An act relative to the publication of the laws of this state in the newspapers,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Fordyce,

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900)," ' approved March twenty-fourth, one thousand nine hundred and three,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr Fordyce,

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, Dalrymple, De Cou, Elvins, Ernst, Fordyce, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Wilson moved that the rules be suspended and that

Committee Substitute for

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

Be put on third reading and final passage,

Which motion was carried.

On motion of Mr. Wilson,

Committee substitute for

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Birkholz, Dalrymple, De Cou, Elvins, Fordyce, Hamill, Heck, Henry G. C., Johnstone, Jones, Kaiser, Layden, Lehlbach Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wilson, Wright—34.

In the negative were—

Messrs. Alexander, Mattheus, Tillman—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Committee substitute for

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Callery, Dalrymple, De Cou, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Van Derveer,

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899)," ' " approved February twenty-sixth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), De Cou, Henry G. C., Pearce, Reed, Scott, Shaw, Van Derveer, Wright—9.

In the negative were—

Messrs. Alexander, Birkholz, Callery, Elvins, Heck, Hildreth, Hoagland, Johnstone, Jones, Lange, Loveridge, Mabie, Manners, Martin, Miller, Mills, Robbins, Scovel, Taylor, Wilson—20.

The Speaker thereupon declared the bill lost.

On motion of Mr. Hunt,

Assembly Bill No. 346, entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, Dalrymple, De Cou, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—45.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller moved that the rules be suspended and that the vote by which

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Miller,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Miller, were read and adopted:

In section one, line fourteen, after the words "treasurer of any," insert "state commission or."

Amend section two as follows: Strike out the entire section and insert the following:

"2. The board of managers, trustees or other board or body having control and management of every state institution, and every state commission may, quarterly, on or before the first days of November, February, May and August of each year, certify to the comptroller a requisition for all moneys estimated by them to be required for the support and maintenance of every such institution and for the salaries, wages and expenses of all officers and employees of such institutions and state commission for the succeeding three months, and with such requisition and forming part thereof, shall be also certified, quarterly as aforesaid, a report showing the average number of inmates maintained in every such institution, and the number and amount of wages, of all officers and employees. The state treasurer with the approval of the governor and on the warrant of the comptroller shall pay to the treasurer of every such board of managers, trustees and state commission within ten days after the filing of such requisition, the amount of money so certified to be required; and the moneys so paid over to the treasurer of every such board, body or commission shall be disbursed by him on the order of the board, body or commission of which he is treasurer. The vouchers of all moneys paid out and disbursed by every such board, body or commission for salaries, wages and maintenance or other purpose for each quarter shall be filed with the comptroller within sixty days after the expiration of the quarter for which the requisition for the same was made, all such bills and vouchers shall be audited and verified by the comptroller."

On motion of Mr. Miller,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Coyne,

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Barber,

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hoagland,

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,'" approved February fifteenth, one thousand nine hundred and five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wildrick,

Senate Bill No. 193, entitled "An act respecting soldiers' monuments,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 309, entitled "An act to amend an act entitled 'An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor,' approved April ninth, one thousand nine hundred and two,"

Favorably, without amendment.

On motion of Mr. Miller

Assembly Bill No. 309, entitled "An act to amend an act entitled 'An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor,' approved April ninth, one thousand nine hundred and two,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eightv-nine,

Assembly Bill No. 207, entitled "An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein justices of the peace in place of justices of the peace whose terms expire on the first day of May, one thousand nine hundred and five,"

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment for water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

And

Assembly Bill No. 368, entitled "An act to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year,"

Correctly printed.

Mr. De Cou, Chairman of the Committee on Elections, reported

Senate Bill No. 185, entitled "An act to amend an act entitled 'An act to regulate elections,'" approved April fourth, one thousand eight hundred and ninety-eight,

Senate Bill No. 186, entitled "Supplement to an act entitled 'An act to regulate elections,'" approved April fourth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Pearce,

Committee substitute for

Senate Bill No. 143, entitled "An act to amend an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,' " approved March twenty-sixth, nineteen hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, De Cou, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Favorably, without amendment.

On motion of Mr. Pearce,

Senate Bill No. 145, entitled "Supplement to the act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey,' " approved March twenty-sixth, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, De Cou, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser,

Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lehlbach,

Assembly Bill No. 302, entitled "An act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures,' " approved April eighth, one thousand eight hundred and ninety-eight,

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, Dalrymple, De Cou, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—43.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hamill,

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house

supervision,'" approved March twenty-fifth, nineteen hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Callery, De Cou, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—43.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scott moved that the rules be suspended and that

Committee Substitute for

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Scott,

Committee substitute for

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, De Cou, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones,

Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—44.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Van Derveer,

Assembly Bill No. 291, entitled "An act to repeal so much of the act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or affect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and collection of taxes and the deduction of loan association mortgages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Callery, De Cou, Fordyce, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson Wright—36.

In the negative were—

Messrs. Birkholz, Loveridge—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hoagland,

Assembly Bill No. 342, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, De Cou, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—43.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Assembly Bill No. 351, entitled "An act to provide for the purchase by boards of chosen freeholders, of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,"

Was taken up, and under suspension of the rules, was read a third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Callery, De Cou, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser,

Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Alexander,

Senate Bill No. 53, entitled "An act to incorporate the borough of Bloomsbury in the county of Hunterdon,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Callery, De Cou, Fordyce, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—41.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Gibbs,

Senate Bill No. 185, entitled "An act to amend an act entitled 'An act to regulate elections,' " approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Jones,

Senate Bill No. 186, entitled "Supplement to an act entitled 'An act to regulate elections,' " approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Johnstone,

Assembly Bill No. 238, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,' " which supplement was approved June thirteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Callery, De Cou, Fordyce, Hamill, Heck, Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Wilson, Wright—40.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Martin, Chairman of the Committee on Bill Revision, reported

Assembly Bill No. 348, entitled "An act to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two,"

Favorably, without amendment.

Mr. Hoagland moved that the motion to reconsider the vote by which

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Was lost, be taken from the table,

Which motion was lost.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
Mr. Speaker: March 23d, 1905.

I am directed by the Senate to inform the House of Assembly that the Senate has concurred in the following concurrent resolution:

WHEREAS, A bill has been this day introduced in the House of Assembly providing for the participation by the State of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven; and

WHEREAS, The president of the Jamestown Exposition Company is that distinguished soldier and citizen, General Fitzhugh Lee, of Virginia; and

WHEREAS, The members of the Legislature of the State of New Jersey would be glad to have General Lee address them upon the subject of the first permanent settlement in America by English-speaking people at Jamestown, Virginia, and the exposition which is to be held to commemorate the same; therefore, be it

Resolved, That the House of Assembly (the Senate concurring), does hereby extend an invitation to General Fitzhugh Lee and his associates from Virginia to address the Legislature of New Jersey on Tuesday next, March 28th, 1905.

HOWARD L. TYLER,
Secretary of the Senate."

Mr. Loveridge, on leave, introduced

Assembly Bill No. 385, entitled "An act providing for the recording of votes and actions of governing bodies in all towns of this state,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

On motion of Mr. Miller,

Assembly Bill No. 348, entitled "An act to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Lehlbach offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock, and when it then adjourn it be to meet on Monday evening at 8 o'clock.

On motion of Mr. Lehlbach, the House then adjourned.

FRIDAY, March 24th, 1905.

At 10:30 o'clock A. M. the House met.

Upon calling the roll, the following gentlemen answered to their names:

Messrs. Barber, De Cou, Hulse—3.

Mr. Hulse, Speaker *pro tem.,* in the chair.

There being no quorum present, the Speaker *pro tem.* declared the House adjourned until Monday evening, at 8 o'clock.

MONDAY, March 27th, 1905.

House met at 8 o'clock P. M.

Prayer was offered by Rev. John D. Fox, of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

Absent—Mr. Mabie.

The minutes of the last meeting were read and approved.

Mr. Marelli presented a resolution, adopted at a meeting of the citizens of Paterson, held on March 25th, 1905, protesting against the passage of

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Which resolution was read by the clerk.

The Speaker presented a petition, numerously signed by the citizens of Williamstown, New Jersey, urging the repeal of the law for paying a bounty on killing foxes,

Which petition was read by the clerk and referred to the Committee on Game and Fisheries.

Mr. Buck offered the following resolution, which was read and adopted:

Resolved, That the privileges of the floor be extended to the Hon. Wilson Shropshire, a former member of this House.

Mr. Mills offered the following resolution, which was read and adopted:

Resolved, That the privileges of the floor be extended to the Hon. Charles E. Whitehead, a former member of this House.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon calling the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

Absent—Mr. Mabie.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 106, entitled "A supplement to an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourteenth, one thousand eight hundred and eighty,

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,'" approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 160, entitled "An act to enable water companies to secure a sufficient water-supply,"

Assembly Bill No. 200, entitled "An act for the appointment of a board for the examination and licensing of sanitary plumbers, and defining the duties and powers of said board,"

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Assembly Bill No. 225, entitled "An act to amend an act entitled 'An act concerning district courts (Revision of 1898)'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein,"

Assembly Bill No. 294, entitled "An act to amend an act entitled 'An act to regulate the practice of courts of law (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 299, entitled "An act to amend 'A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," which further supplement was approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 300, entitled "An act to amend an act entitled 'An act respecting the orphans' court,'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 304, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 306, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 309, entitled "An act to amend an act entitled 'An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor,' approved April ninth, one thousand nine hundred and two,"

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine, which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 347, entitled "A supplement to an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 348, entitled "An act to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two,"

Assembly Bill No. 349, entitled "A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " which act was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Assembly Bill No. 370, entitled "An act to amend section two of an act entitled 'A further supplement to an act regulating fisheries in the Mullica river,' " approved April third, one thousand eight hundred and sixty-seven,

Assembly Bill No. 369, entitled "An act to create flood district to be called Passaic River Flood District,"

And

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,' " approved February fifteenth, one thousand nine hundred and five,

Correctly printed.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 386, entitled "An act to authorize the board of fish and game commissioners to coöperate with the department of fisheries of the commonwealth of Pennsylvania, in the propagation of shad, and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 335, entitled "A further supplement to an act entitled 'An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties,'" approved March thirty-first, one thousand eight hundred and eighty-seven,

With the following committee amendment,

Which was read and adopted.

In section 1, line 8, amend after the word "ordinance": "*provided, however,* that nothing in this act shall apply to railroad companies in the usual and ordinary operation of their engines and cars."

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Assembly Bill No. 384, entitled "An act to incorporate the Borough of Laurel Springs,"

Favorably, without amendment.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Assembly Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Favorably, without amendment.

Mr. Baker, on leave, introduced

Assembly Bill No. 387, entitled "An act concerning towns,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Mr. Perkins, on leave, introduced

Assembly Bill No. 388, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Coyne, on leave, introduced

Assembly Bill No. 389, entitled "An act to annex and consolidate with the township of Linden, the mayor and council of the borough of Linden,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 390, entitled "An act to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

The same gentleman, on leave, introduced

Assembly Bill No. 391, entitled "An act to amend an act entitled 'An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this state,'" approved March twenty-eighth, nineteen hundred and four,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Taylor offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Harrison Van Dyne, a former member and Speaker of this House from Essex county.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported

Committee substitute for

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

And

Committee Substitute for

Assembly Bill No. 390, entitled "An act to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey,"

Favorably, without amendment.

On motion of Mr. Duffield,

Committee Substitute for

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Was taken up, read a second time, considered by sections and the following amendments were proposed:

Amendment by Mr. Robbins,

Amend section 4, line 17, by inserting after the word "all" the words: "but no sale of any such property shall be made where the interest of the state is disputed or denied by the canal company, or its said lessee, until such interest, if any, shall have been determined by the final adjudication of the courts."

Upon the adoption of which amendment, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Boucher, Callery, Elvins, Ernst, Fordyce, Hamill, Hildreth, Hoagland, Johnstone, Lange, Layden, Loveridge, Marelli, Martin, Mattheus, Miller, Murphy, Perkins, Riordan, Robbins, Shaw, Tillman, Wildrick, Willever, Wright—28.

In the negative were—

Messrs. Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hulse, Hunt, Jones, Kaiser, Lehlbach, Manners, Mills, Pearce, Pennington, Reed, Scott, Scovel, Shedaker, Taylor, Van Derveer, Wilson—29.

The Speaker thereupon declared the amendment lost.

Amendment by Mr. Elvins,

Amend section 4, line 146, by striking out the words "Lehigh Valley Railroad Company" and inserting in place thereof the words "State of New Jersey, after first reimbursing the Lehigh Valley Railroad Company for such sums as it may have paid

in condemning flowage rights at Lake Hopatcong in accordance with the provisions of the second paragraph of section 6 of this act."

Upon the adoption of which amendment, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Elvins, Ernst, Fordyce, Hamill, Hoagland, Johnstone, Lange, Layden, Marelli, Martin, Miller, Murphy, Perkins, Riordan, Robbins, Wildrick, Wright—19.

In the negative were—

Messrs. Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Gallagher, Gibbs, Henry F. C., Henry G. C., Hildreth, Hulse, Jones, Kaiser, Lehlbach, Loveridge, Manners, Mattheus, Mills, Pearce, Pennington, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wilson—33.

The Speaker thereupon declared the amendment lost.

Amendment by Mr. Elvins,

Amend section 4, line 135, by striking out the word "four" and inserting in lieu thereof the word "three."

Upon the adoption of which amendment, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Elvins, Ernst, Fordyce, Hamill, Hoagland, Lange, Layden, Marelli, Miller, Murphy, Perkins, Riordan, Robbins, Scott, Wildrick, Willever, Wright—18.

In the negative were—

Messrs. Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Gibbs, Henry F. C., Henry G. C., Hildreth, Hulse, Jones, Kaiser, Lehlbach, Loveridge, Manners, Martin, Mattheus, Pearce, Pennington, Reed, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wilson—30.

The Speaker thereupon declared the amendment lost.

Amendment by Mr. Hamill,

Amend section 5 by striking out, in lines 7, 8, 9, 10 and 11, the following words: "And in all such cases the valuation to be

paid to the owner shall be the valuation of the said property, subject to continued use for canal purposes, to the extent now authorized by law, together with the damages arising out of the change from the use for canal purposes to the public use, for which the same shall be taken by the purchaser."

Upon adoption of which amendment, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Elvins, Fordyce, Hamill, Layden, Marelli, Murphy, Perkins, Riordan, Wildrick, Wright—11.

In the negative were—

Messrs. Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Lehlbach, Loveridge, Manners, Martin, Mattheus, Miller, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson—44.

The Speaker thereupon declared the amendment lost.

Amendment by Mr. Marelli,

Amend section 6 by striking out all after the semi-colon, on line 4, and all of lines 5, 6 and 7; inserting in line 8, after the word "Hopatcong" and before the word "and," the words "and Greenwood Lake"; inserting in line 17, after the word "county" and before the semi-colon, a comma and the words "and the lands and interests in lands in the county of Passaic to be conveyed to the Board of Chosen Freeholders of that county"; inserting in line 19, after the word "Hopatcong" and before the word "above," the words "and Greenwood lake, respectively"; inserting in line 23, in lieu of the word "lake," the word "lakes"; inserting in line 32, after the word "Hopatcong" and before the word "when," the words "and Greenwood lake, respectively"; inserting in line 34, in lieu of the word "lake," the word "lakes"; inserting in line 59, after the word "of" and before the word "Morris," the word "Passaic"; inserting in line 62, in lieu of the word "lake," the word "lakes"; inserting in line 62, in lieu of the word "its," the word "their," and by striking out all of lines 65 to 127, both inclusive.

Upon the adoption of which amendment, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Elvins, Ernst, Fordyce, Hamill, Hoagland, Johnstone, Layden, Marelli, Murphy, Perkins, Riordan, Wildrick, Wright—13.

In the negative were—

Messrs. Barber, Birkholz, Boucher, Buck, Colby, Coyne, De Cou, Duff, Duffield, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Jones, Kaiser, Lehlbach, Loveridge, Manners, Martin, Miller, Pearce, Pennington, Scovel, Van Derveer, Wilson—27.

The Speaker thereupon declared the amendment lost.

Amendment proposed by Mr. Riordan,

To follow line 12, on age 15: "*provided,* that the city of Newark shall have the right, in exchange for such parts of streets and highways upon which said canal has been constructed and is now located, within the corporate limits of the said city, to construct and maintain forever over and along that section of the canal between Broad and Mulberry streets, now occupied for public market purposes, a public highway, and to extend said highway over and along the canal from Mulberry street east to Railroad Place, in said city, so as to form a continuous highway from Broad street to Railroad Place, but this provision does not prevent the city of Newark from maintaining its public market as now located until such time as it may be deemed for the best interests of the city to order its removal.

Upon the adoption of which amendment, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Fordyce, Hamill, Johnstone, Lange, Layden, Marelli, Murphy, Riordan, Wright—10.

In the negative were—

Messrs. Barber, Birkholz, Boucher, Buck, Colby, Coyne, DeCou, Duff, Duffield, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hunt, Jones, Kaiser, Lehlbach, Loveridge, Manners, Martin, Mattheus, Miller, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wilson—36.

The Speaker thereupon declared the amendment lost.

Amendments by Mr. Wright,

Amend section 1 by inserting in line 19, after the word "act" and before the comma, the words "in the office of the Secretary of State; cause the same to be published for four weeks successively, at least once a week, in every newspaper printed, published and circulated in the several counties in this State in which are located lands which will be in any way affected by the passage of this act, proof of such publication to be filed in the office of the Secretary of State"; inserting at the end of line 20 the words "and published and the proof of publication filed."

Amend section 3 by inserting in line 1, after the word "acceptance" and before the word "and," a comma and the words "the proof of publication of said acceptance."

Upon the adoption of which amendments, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Dalrymple, Fordyce, Hamill, Johnstone, Lange, Layden, Marelli, Murphy, Riordan, Wildrick, Wright—12.

In the negative were—

Messrs. Barber, Birkholz, Boucher, Buck, Coyne, De Cou, Duff, Duffield, Gallagher, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lehlbach, Loveridge, Manners, Martin, Mattheus, Miller, Pearce, Pennington, Perkins, Robbins, Scovel, Shedaker, Taylor, Tillman, Wilson—31.

The Speaker thereupon declared the amendments lost.

Mr. Duffield moved that the rules be suspended and that

Committee Substitute for

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Be placed on third reading and final passage.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones,

Kaiser, Lehlbach, Loveridge, Manners, Martin, Mattheus, Mills, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson—44.

In the negative were—

Messrs. Alexander, Baker, Elvins, Hamill, Johnstone, Lange, Layden, Marelli, Miller, Murphy, Pearce, Riordan, Wildrick, Wright—14.

The Speaker thereupon declared the motion carried.

On motion of Mr. Duffield,

Committee substitute for

Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lehlbach, Loveridge, Manners, Martin, Mattheus, Pearce, Pennington, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson—42.

In the negative were—

Messrs. Alexander, Baker, Elvins, Fordyce, Hamill, Johnstone, Lange, Layden, Marelli, Miller, Mills, Murphy, Riordan, Robbins, Wildrick, Wright—16.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Coyne, Chairman of the Committee on State Prison, reported

Senate Bill No. 116, entitled "An act to provide for increasing the capacity of the state prison,"

Favorably, without amendment.

Mr. Buck, on leave, introduced

Assembly Bill No. 392, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 374, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Favorably, without amendment.

The Clerk read the following announcements:

There will be a public meeting of the Committee on Incidental Expenses, in the Senate rooms on Railroads and Canals, at 10 A. M. Tuesday.

RALPH HULSE,
Chairman.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet tomorrow morning at 11 o'clock A. M.

On motion of Mr. Duffield, the House then adjourned.

TUESDAY, March 28th, 1905.

House met at 11 o'clock A. M.

Prayer was offered by Rev. Gardener Howland, of Hillsdale, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs,

Hamill, Heck, Hency F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

Absent—

Messrs. Gallagher, Mattheus, Murphy—3.

Minutes of the last meeting was read and approved.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 117, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, A. D. one thousand nine hundred and three,

Favorably, without amendment.

Mr. Heck, on leave, introduced

Assembly Bill No. 393, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Mr. Scott, by request, on leave, introduced

Assembly Bill No. 394, entitled "An act to set off territory from the borough of Highlands, in the county of Monmouth, and annex the same to the township of Middletown, in said county,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Senate Bill No. 152, entitled "An act to create a new township in the county of Burlington, to be called the township of North Hanover,"

Favorably, without amendment.

And

Committee substitute for

Assembly Bill No. 372, entitled "An act relating to the appointment, removal, government and control of police and providing for the appointment of a board of police commissioners in towns,"

Mr. Duffield, by request, on leave, introduced

Assembly Bill No. 395, entitled "A supplement to an act entitled 'An act to amend the law relating to the property of married women (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That Rule 43, which prohibits a bill being read twice on the same day, be suspended, and that all bills shall, upon passing second reading, be at once placed upon the calendar for third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That all Assembly bills be sent to the Senate as soon as possible after the passage by the House, and all rules to the contrary be and they are hereby suspended.

On motion of Mr. Taylor,

Assembly Bill No. 335, entitled "A further supplement to an act entitled 'An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties,'" approved March thirty-first, one thousand eight hundred and eighty-seven,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gibbs,

Assembly Bill No. 384, entitled "An act to incorporate the Borough of Laurel Springs,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Scovel moved that the rules be suspended and that the vote by which

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Passed the House be reconsidered,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Miller, Mills, Pearce, Pennington, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson—53.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Scovel moved that the rules be suspended and that the vote by which

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Scovel

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Was taken up, read a second time, and the following amendment proposed by Mr. Scovel

Was read and adopted:

Amend by adding the following words at the end of section one: "*provided,* that she shall first have filed with the county clerk of the county in which she is resident and with the county clerk of the county in which she was resident at the time the divorce was granted a declaration, under oath, setting forth her intention so to assume her maiden name, and the day and date on which such change of name is to be made.

Mr. Ernst, at 11:45 o'clock A. M., gave the following notice:

Notice is hereby given that at the proper time, under the rules of this House, I will move that the Committee on Judiciary be relieved from the further consideration of

Assembly Bill No. 102, entitled "An act to establish the rate of interest on arrears of taxes and assessments in municipal cities of the state,"

On motion of Mr. Gibbs,

Assembly Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, read a second. time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the rule requiring new matter to be underscored and mater omitted to be included in brackets, in printed bills, be suspended.

On motion of Mr. Hoagland,

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Was taken up and read a second time.

Mr. Hoagland moved that

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Be recommitted to the Committee on Towns and Townships,

Which motion was carried.

On motion of Mr. Scovel,

Committee substitute for

Assembly Bill No. 372, entitled "An act relating to the appointment, removal, government and control of police and providing for the appointment of a board of police commissioners in towns,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Buck,

Assembly Bill No. 374, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Martin,

Committee substitute for

Assembly Bill No. 333, entitled "An act to amend an act entitled 'An act concerning district court fees' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller,

Committee substitute for

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach

Committee Substitute for

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Lehlbach

Committee substitute for

Assembly Bill No. 390, entitled "An act to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 117, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possesssion (Revision of 1903),'" approved April fourteenth, A. D. one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Robbins,

Senate Bill No. 152, entitled "An act to create a new township in the county of Burlington, to be called the township of North Hanover,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli,

Senate Bill No. 116, entitled "An act to provide for increasing the capacity of the state prison,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Lehlbach, on leave, introduced

Assembly Bill No. 396, entitled "An act to provide for the appointment of a commission to revise and codify the law relating to master and servant,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

On motion of Mr. Wright,

Senate Bill No. 151, entitled "An act to amend an act entitled 'An act concerning railroads (Revision of 1903),'" approved April fourteenth, nineteen hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gibbs, Hamill, Heck, Henry F. C., Henry, G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 270, entitled "An act for the sale in fee of land purchased by any taxing district for taxes, assessments or water rents (Revision of 1905),"

Favorably, without amendment.

And

Committee substitute for

Assembly Bill No. 257, entitled "An act to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class,"

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 391, entitled "An act to amend an act entitled 'An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this state,'" approved March twenty-eighth, nineteen hundred and four,

Assembly Bill No. 269, entitled "An act to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents, being liens upon land and sales therefor,"

And

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,'" approved March twenty-first, one thousand eight hundred and ninety-five,

Also

Senate Bill No. 165, entitled "An act regulating the making of contracts in cities of the first class in this state, and the expending of money therein,"

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Committee Substitute for

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Mr. De Cou, Chairman of the Committee on Elections, reported

Assembly Bill No. 138, entitled "An act to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature,"

Favorably, without amendment.

On motion of Mr. Reed,

Assembly Bill No. 374, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkin, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Birkholz, Chairman of the Committee on Banks and Insurance, reported

Assembly Bill No. 338, entitled "An act to repeal section eighty-one of an act entitled 'A further supplement to an act entitled "An act to provide for the incorporation and regulation of insurance companies,"'" approved April third, one thousand nine hundred and two,

Favorably, without amendment.

And

Senate Bill No. 8, entitled "A supplement to an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

With the following committee amendment,

Which was read and adopted.

Amend section 1, line 6, by adding, after the word "association," a semicolon, and after said semicolon "*and provided, fur-*

ther, that the interest on the amount so invested, calculated at the rate of six per cent. per annum, less the annual income obtained from sub-rentals, or otherwise, of any part of such building, shall be charged against the aggregate amount of expense limited by section forty of the act to which this is a supplement."

Mr. Hamill, at 12:10 o'clock P. M., gave the following notice:

Notice is hereby given that at the proper time, under the rules of this House, I will move that the Committee on Judiciary be relieved from the further consideration of

Assembly Bill No. 188, entitled "A supplement to an act entitled 'An act relating to information in the nature of a quo warranto (Revision of 1903),'" approved April eighth, nineteen hundred and three.

Assembly Bill No. 189, entitled "An act to revise and amend an act entitled 'An act for the taxation of all property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto,'" which act was approved March twenty-third, nineteen hundred, and the supplements and amendments thereto,

Assembly Bill No. 328, entitled "An act to amend an act entitled 'An act to revise and amend an act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, which act of revision and amendment was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

And the Committee on Municipal Corporations of

Assembly Bill No. 190, entitled "An act to authorize cities of the first class to contract to supply water to certain other municipalities in this state."

Mr. Duffield offered the following resolution, which was read and adopted:

WHEREAS, By a resolution of this House, adopted March 21st, 1905, the Honorable Fitzhugh Lee was requested to address the Legislature this day, and

WHEREAS, The hour fixed by that resolution has now arrived,

Resolved, That the Speaker appoint a committee of two to escort the Honorable Fitzhugh Lee to the bar of this House.

In accordance with the provision of the above resolution, the Speaker appointed Messrs. Duffield, of Essex, and Hamill, of Hudson.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 27, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 362, entitled "An act to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven,"

Assembly Bill No. 86, entitled "A supplement to an act entitled 'An act in relation to county expenditures,'" approved April second, one thousand eight hundred and seventy-eight,

Assembly Bill No. 94, entitled "An act to further amend an act entitled 'An act to organize a state board of agriculture,'" approved April first, eighteen hundred and eighty-seven,

Assembly Bill No. 122, entitled "An act to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit,"

Assembly Bill No. 252, entitled "A supplement to an act entitled 'An act authorizing cities of this state to extend existing water-works owned by such cities, and to issue bonds for the cost of such extension,'" approved March twenty-second, one thousand nine hundred and four,

And

Assembly Bill No. 290, entitled "An act concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children,"

Without amendment.

Also

Senate Committee Substitute for

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

And has concurred in the following concurrent resolution:

Resolved (the Senate concurring), That the Governor be requested to return to the House of Assembly, where it originated,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,' " approved April third, one thousand nine hundred and two,

For further consideration.

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three,

Favorably, without amendment.

On motion of Mr. Hildreth,

Committee substitute for

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—50.

In the negative were—

Messrs. Gibbs, Scovel, Wildrick—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 28, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 52, entitled "An act concerning free public libraries in all cities, boroughs, towns, townships and villages of this state (Revision of 1905),"

Senate Bill No. 61, entitled "An act to authorize any city, or other municipality, where a street railroad has laid in part of any of its streets or avenues, and said railroad company has paved and maintains a certain space through the part of such street or avenue where its railroad is laid, to lay out and maintain as a lawn or arbor through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor,"

Senate Bill No. 104, entitled "An act to amend the negotiable instrument law relative to the payment of forged checks,"

Senate Bill No. 170, entitled "An act to amend an act entitled 'An act directing the descent of real estates,' " approved April sixteenth, one thousand eight hundred and forty-seven,

Senate Bill No. 91, entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic in the state of New Jersey,"

Senate Bill No. 108, entitled "Supplement to an act entitled 'An act to incorporated and regulate telegraph companies,' " approved April ninth, one thousand eight hundred and seventy-five,

Senate Bill No. 127, entitled "An amendment to an act entitled 'A supplement to an act entitled "An act concerning idiots and lunatics," approved March twenty-seventh, one thousand eight hundred and seventy-four,' " which supplement was approved March fifteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 128, entitled "A supplement to an act entitled 'An act concerning the removal of trust property out of this state and providing proceedings therefor,'" approved March sixth, one thousand eight hundred and eighty-six,

Senate Bill No. 176, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

Senate Bill No. 194, entitled "An act relative to the care of female insane patients,"

Senate Bill No. 196, entitled "An act to authorize an annual conference of state and local health officers, sanitary inspectors and delegates from local boards of health,"

Senate Bill No. 206, entitled "An act providing for the widening of certain county roads,"

Also,

Senate Substitute for

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate."

The Senate message was then taken up and

Senate Bill No. 91, entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic in the state of New Jersey,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 108, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" approved April ninth, one thousand eight hundred and seventy-five,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 127, entitled "An amendment to an act entitled 'A supplement to an act entitled "An act concerning idiots

and lunatics," approved March twenty-seventh, one thousand eight hundred and seventy-four,'" which supplement was approved March fifteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 128, entitled "A supplement to an act entitled 'An act concerning the removal of trust property out of this state and providing proceedings therefor,'", approved March sixth, one thousand eight hundred and eighty-six,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 176, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Senate Bill No. 194, entitled "An act relative to the care of female insane patients,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 196, entitled "An act to authorize an annual conference of state and local health officers, sanitary inspectors and delegates from local boards of health,"

Was read for the first time by its title, ordered to have a second reading and referred to the Committee on Public Health.

Senate Bill No. 206, entitled "An act providing for the widening of certain county roads,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture and Agricultural College.

Senate Bill No. 52, entitled "An act concerning free public libraries in all cities, boroughs, towns, townships and villages of this state (Revision of 1905),"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 61, entitled "An act to authorize any city, or other municipality, where a street railroad has laid in part of any of its streets or avenues, and said railroad company has paved and maintains a certain space through the part of such street or avenue where its railroad is laid, to lay out and maintain as a lawn or arbor through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 104, entitled "An act to amend the negotiable instrument law relative to the payment of forged checks,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 170, entitled "An act to amend an act entitled 'An act directing the descent of real estates,' " approved April sixteenth, one thousand eight hundred and forty-seven,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

And

Senate Substitute for

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Taylor moved that the House of Assembly resolve itself into a Committee of the Whole for the purpose of hearing an address by the Honorable Fitzhugh Lee,

Which motion was carried.

After the Committee of the Whole arose

Mr. Reed moved that the rules be suspended and that the vote by which

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Reed,

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Was taken up, read a second time, and the following amendment proposed by Mr. Reed was read and adopted:

Amend by adding the following section:

Sec. 4. This act shall take effect immediately.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 169, entitled "A further supplement to an act entitled 'An act relative to sales of land under a public statute, or by virtue of any judicial proceedings'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,

With the following committee amendments,

Which were read and adopted:

Amend by striking out section 2.

Amend section 1 by striking out the words "in the notices and advertisements required by law, and," in lines 10 and 11, and inserting, after the word "sale" and before the semicolon in line 11, the words "and read when the property is offered for sale."

On motion of Mr. Scovel

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Gibbs, Hamill, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Reed,

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Hamill,

Senate Bill No. 169, entitled " Afurther supplement to an act entitled 'An act relative to sales of land under a public statute, or by virtue of any judicial proceedings' " (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Hamill, on leave, introduced

Assembly Bill No. 397, entitled "A further supplement to an act entitled 'An act respecting conveyances (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

On motion of Mr. Hoagland,

Assembly Bill No. 270, entitled "An act for the sale in fee of land purchased by any taxing district for taxes, assessments or water rents (Revision of 1905),"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Wildrick,

Committee substitute for

Assembly Bill No. 257, entitled "An act to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Lehlbach

Assembly Bill No. 391, entitled "An act to amend an act entitled 'An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this state,'" approved March twenty-eighth, nineteen hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hoagland,

Assembly Bill No. 269, entitled "An act to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents being liens upon land and sales therefor,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. F. C. Henry,

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,' approved March twenty-first, one thousand eight hundred and ninety-five,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hoagland

Committee substitute for

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Fordyce,

Assembly Bill No. 138, entitled "An act to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature,"

Was taken up, read a second time, and the following amendment proposed by Mr. Coyne

Was read and adopted:

Amend title by striking out the words "hereafter to be held" after the words "bye-election."

On motion of Mr. Fordyce,

Assembly Bill No. 138, entitled "An act to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Birkholz,

Assembly Bill No. 338, entitled "An act to repeal section eighty-one of an act entitled 'A further supplement to an act entitled "An act to provide for the incorporation and regulation of insurance companies,"'" approved April third, one thousand nine hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck

Senate Bill No. 8, entitled "A supplement to an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Gallagher,

Senate Bill No. 165, entitled "An act regulating the making of contracts in cities of the first class in this state, and the expending of money therein,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Senate Bill No. 91, entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic in the state of New Jersey,"

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 61, entitled "An act to authorize any city, or other municipality, where a street railroad has laid in part of any of its streets or avenues, and said railroad company has paved and maintains a certain space through the part of such street or avenue where its railroad is laid, to lay out and maintain as a lawn or arbor through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor,"

Senate Bill No. 83, entitled "An act to prohibit corporations from making political contributions,"

Favorably, without amendment.

On motion of Mr. Elvins,

Senate Bill No. 91, entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic in the state of New Jersey,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Callery,

Senate Bill No. 61, entitled "An act to authorize any city, or other municipality, where a street railroad has laid in part of any

of its streets or avenues, and said railroad company has paved and maintains a certain space through the part of such street or avenue where its railroad is laid, to lay out and maintain as a lawn or arbor through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 183, entitled "A supplement to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 27, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following resolutions:

Resolved by the Senate (the House of Assembly concurring), That

Senate Bill No. 155, entitled "An act to amend an act entitled 'An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

Be returned to the Senate for further consideration.

Resolved (the House concurring), That the Governor be requested to return to the Senate

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,' " approved March seventh, one thousand eight hundred and ninety-three,

For further consideration.

Resolved (the House of Assembly concurring), That the Governor be and he is hereby requested to return to the Senate

Senate Bill No 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

For further consideration.

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and the Senate resolutions were concurred in by the House.

On motion of Mr. Lehlbach, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Taylor, Van Derveer, Wildrick, Willever, Wright—45.

Absent—

Messrs. Alexander, Callery, Henry F. C., Johnstone, Jones, Mabie, Mattheus, Murphy, Pennington, Riordan, Robbins, Shedaker, Tillman, Wilson—14.

Mr. Colby, on leave, introduced

Assembly Bill No. 398, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

Which was read for the first time by its title and ordered to have a second reading.

Mr. Colby moved that the above bill be referred to a Committee of the Whole for consideration on Wednesday morning, March 29, 1905.

Mr. Duffield offered an amendment that

Assembly Bill No. 398, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

Take its usual course, and that the Speaker refer the bill,

On which amendment the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Buck, Coyne, De Cou, Duffield, Elvins, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hunt, Jones, Lehlbach, Mabie, Manners, Martin, Perkins, Reed, Robbins, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wilson—28.

In the negative were—

Messrs. Boucher, Colby, Duff, Ernst, Fordyce, Hamill, Hoagland, Loveridge—8.

The Speaker thereupon declared the amendment adopted.

The Speaker thereupon referred

Assembly Bill No. 398, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

To the Committee on Judiciary.

Mr. Duffield, on leave, introduced

Assembly Joint Resolution No. 2, entitled "Joint resolution to promote the equalization of taxes,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That 1,000 copies of the proceedings of the State Conference of Charities and Corrections, held in the Assembly Chamber on February 16, 17, 18, 1905, be printed for the benefit of the State, the societies and organizations of New Jersey engaged in charities and correctional work.

Mr. Gibbs, Chairman of the Committee on Game and Fisheries, reported

Assembly Bill No. 386, entitled "An act to authorize the board of fish and game commissioners to coöperate with the department of fisheries of the commonwealth of Pennsylvania, in the propagation of shad, and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose,"

Favorably, without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 313, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,' " approved March fourth, one thousand eight hundred and eighty,

Favorably, without amendment.

Mr. Perkins, on leave, introduced

Assembly Bill No. 399, entitled "An act to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

On motion of Mr. Gibbs,

Assembly Bill No. 386, entitled "An act to authorize the board of fish and game commissioners to coöperate with the department of fisheries of the commonwealth of Pennsylvania, in the

propagation of shad, and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Birkholz,

Assembly Bill No. 313, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourh, one thousand eight hundred and eighty,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 28, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 178, entitled "An act providing for the appointment of clerks to recorders in certain cities of the second class in this state and defining their duties,"

Senate Bill No. 187, entitled "A further supplement to an act entitled 'An act concerning townships (Revision of 1899),'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

In which the concurrence of the House of Assembly is requested;

Also,

Assembly Bill No. 251, entitled "An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this State, and to provide for the payment of the expense of the same,

And the following concurrent resolution:

Resolved (the Senate concurring), That both houses of the Legislature, the Senate and the General Assembly, do adjourn *sine die,* on Thursday, the 30th day of March, A. D. 1905, at 3 o'clock in the afternoon.

HOWARD L. TYLER,
Secertary of the Senate.

The Senate message was then taken up and

Senate Bill No. 178, entitled "An act providing for the appointment of clerks to recorders in certain cities of the second class in this state and defining their duties,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 187, entitled "A further supplement to an act entitled 'An act concerning townships (Revision of 1899),'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Township.

On motion of Mr. Duffield,

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Duffield

Assembly Bill No. 245, entitled "An act to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Assembly Bill No. 307, entitled "An act to amend an act entitled "An act providing for the pensioning of school teachers in this state,'" approved March fifth, nineteen hundred and three,

Assembly Bill No. 374, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Correctly printed.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported:

Senate Bill No. 84, entitled "An act to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sales of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor,

With the following committee amendments,

Which were read and adopted.

Amend Senate Bill No. 84, printed bill, by striking out of the title the words "to regulate in a reasonable manner places lawfully licensed for the sales of spirituous, vinous, malt and other intoxicating liquors and," and to strike out, in line 3 of said title, the words "of such" and by inserting the words "of spirituous, vinous, malt and other intoxicating."

Amend said bill, also, by striking out section 1 and numbering section 2 as section 1, section 3 as section 2, section 4 as section 3 and section 5 as section 4.

Amend section 2 of said bill, line 1, by striking out the word "also."

Amend said bill, section 3, line 2, by striking out the words "of section 1, or section 2."

On motion of Mr. Barber,

Senate Bill No. 84, entitled "An act to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sale of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Dalrymple, on leave, introduced

Assembly Bill No. 400, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

On motion of Mr. Tillman,

Assembly Bill No. 89, entitled "A supplement to an act entitled 'An act concerning townships'" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same and requests its concurrence therein.

On motion of Mr. Coyne,

Assembly Bill No. 368, entitled "An act to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year,".

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Murphy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

Mr. Loveridge moved that the rules be suspended and that the vote by which

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulatng proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Loveridge,

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, and the following amendment proposed by Mr. Loveridge

Was read and adopted:

Amend section 1, line 3, by striking out the words after the comma "that in every such case."

On motion of Mr. Loveridge,

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Elvins,

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment of water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Henry G. C., Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Murphy, Pearce, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—33.

In the negative were—

Messrs. Baker, Barber, Fordyce, Heck, Hildreth, Hulse, Hunt, Mabie, Martin, Miller, Mills, Perkins, Reed, Robbins —14.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 336, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, Duff, Duffield, Ernst, Fordyce, Gallagher, Hamill, Henry G. C., Hildreth, Hoagland, Kaiser, Lange, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Perkins, Reed, Scovel, Shaw, Taylor, Wildrick, Willever—31.

In the negative were—

Messrs. Baker, Buck, De Cou, Elvins, Gibbs, Heck, Hunt, Layden, Mills, Pearce, Van Derveer—11.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Taylor, Van Derveer, Wildrick, Willever, Wright—45.

Absent—

Messrs. Alexander, Callery, Henry F. C., Johnstone, Jones, Mabie, Mattheus, Murphy, Pennington, Riordan, Robbins, Shedaker, Tillman, Wilson—14.

On motion of Mr. Miller,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Loveridge, Manners, Marelli, Martin, Miller, Pearce, Perkins, Reed, Scovel, Shaw, Taylor, Van Derveer, Wildrick, Willever, Wright—40.

In the negative were—

Messrs. Baker, Mills—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 363, entitled "An act to amend an act entitled 'An act concerning minors, their adoption, custody and maintenance (Revision of 1902),' "

Favorably, without amendment.

And

Assembly Bill No. 311, entitled "An act confirming, validating and legalizing any deed or deeds of conveyance of or for lands, tenements, hereditaments or real estate of any decedent whose estate has been decreed to be insolvent, and whose lands have been ordered sold by any orphans' court for the purpose of paying the debts of said decedent, 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 by any substituted administrator or administrators, or by the survivirs or survivor, successor or successors, of them, him or her, and making the record of said deed or deeds admissible in evidence,"

With the following committee amendment,

Which was read and adopted:

Amend the proviso at the end of section 1 (in lines 16 to 18 of the printed bill) to read "*provided, however,* that the sale was made in other respects in conformity with the provisions of said act and the emendments and supplements thereto; that the report of such sale has been made to and approved or confirmed by the orphans' court which made the first or original decree, and that the grantee or grantees in such deed have been in open and continuous possession of said lands since the delivery of such deed."

Mr. Hulse, on leave, introduced

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Incidental Expenses.

On motion of Mr. Miller,

Assembly Bill No. 222, entitled "An act for the regulation and control of experiments in the artificial propagation of oysters and clams,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Elvins, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hulse, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—41.

In the negative were—

Messrs. Duffield, Fordyce, Hoagland, Martin—4.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Shedaker, Chairman of the Committee on Agriculture and Agricultural College, reported

Senate Bill No. 206, entitled "An act providing for the widening of certain county roads,"

Favorably, without amendment.

Mr. De Cou, Chairman of the Committee on Elections, reported

Senate Bill No. 176, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

With the following committee amendments,

Which were read and adopted.

Amend section 6, line 21, by adding, after the word "electors," the following: "And the names of the candidates for president and vice-president."

Section 6, line 34, spell the word "the" correctly.

Amend the number of the section following "10" and make it "11."

Section 16, line 4, omit the comma after the word "push."

Section 18, line 4, strike out the words "the entire" and insert, in lieu thereof, the words "such portion of."

Section 28, line 6, strike out the word "independent" and insert, in lieu thereof, "irregular."

Section 28, at the end of line 7 and beginning of line 8, strike out the word "independent" and insert, in lieu thereof, the word "irregular."

Section 31, at the end of line 1, "or keys thereof."

Section 31, line 7, strike out the comma after the word "locked."

Section 31, line 8, add, after the word "same," the words "shall tamper or attempt to tamper with any voting machine."

Section 37, line 4, spell the word "dollars" correctly.

Section 38, line 3, spell the word "repugnant" correctly.

On motion of Mr. Colby,

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourteenth, one thousand eight hundred and eighty,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Barber,

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys

or other public places in cities of this State, or the construction of sewers and drains therein,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Dalrymple moved that the rules be suspended and that the vote by which

Assembly Bill No. 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Passed third reading and final passage be reconsidered.

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Dalrymple moved that the House inform the Senate that it had reconsidered the vote by which

Assembly Bill No. 126, entitled "A Supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Passed third reading and final passage, and request the Senate to reconsider the vote by which the said bill passed the Senate, and to return it to the House,

Which motion was carried.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 392, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Favorably, without amendment.

And

Committee substitute for

Assembly Bill No. 314, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

On motion of Mr. Hoagland,

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,'" approved February fifteenth, one thousand nine hundred and five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Elvins,

Assembly Bill No. 370, entitled "An act to amend section two of an act entitled 'A further supplement to an act regulating fisheries in the Mullica river,'" approved April third, one thousand eight hundred and sixty-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Hildreth moved that the rules be suspended, and that the vote by which

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Lehlbach,

Assembly Bill No. 309, entitled "An act to amend an act entitled 'An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor,' approved April ninth, one thousand nine hundred and two,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same and requests its concurrence therein.

On motion of Mr. Baker,

Assembly Bill No. 300, entitled "An act to amend an act entitled 'An act respecting the orphans' court,'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Elvins,

Senate Bill No. 91, entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic in the state of New Jersey,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, without amendment.

Senate amendments to

Assembly Bill No. 65, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession,'" which act was approved April fourteenth, one thousand nine hundred and three,

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

On which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Mur-

phy, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Willever, Wright—50.

In the negative—None.

The Speaker thereupon declared the

Amendments concurred in.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 194, entitled "An act relative to the care of female insane patients,"

Favorably, without amendment.

Mr. Taylor moved that the rules be suspended, and that the vote by which

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Taylor

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Taylor, were read and adopted:

Insert after section 2 a new section, as follows:

3. This act shall not affect any agreement under which the prospective vendee, or his heirs, executors, administrators or assigns, shall be in open and notorious possession.

Change section 3 to section 4.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 28th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Senate Substitute for

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Also the following resolution:

Resolved, the House of Assembly concurring, That the Governor be requested to return to the Senate

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

For further consideration.

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up, and

Senate Substitute for

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Bill Revision.

And the following resolution was concurred in:

Resolved, The House of Assembly concurring, That the Governor be requested to return to the Senate

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

For further consideration.

On motion of Mr. Birkholz,

Assembly Bill No. 314, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Buck,

Assembly Bill No. 392, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Taylor

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Marelli,

Senate Bill No. 206, entitled "An act providing for the widening of certain county roads,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Senate Bill No. 176, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Wildrick,

Senate Bill No. 194, entitled "An act relative to the care of female insane patients,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill

Assembly Bill No. 311, entitled "An act confirming, validating and legalizing any deed or deeds of conveyance of or for lands, tenements, hereditaments or real estate of any decedent whose estate has been decreed to be insolvent, and whose lands have been ordered sold by any orphans' court for the purpose of paying the debts of said decedent, 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 by any substituted administrator or administrators, or by the survivors or survivor, successor or successors, of them, him or her, and making the record of said deed or deeds admissible in evidence,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Perkins,

Assembly Bill No. 363, entitled "An act to amend an act entitled 'An act concerning minors, their adoption, custody and maintenance (Revision of 1902),'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Duffield, the House then took a recess until 7:30 o'clock P. M.

EVENING SESSION.

The House reconvened at 7:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—43.

Absent—

Messrs. Alexander, Baker, Birkholz, Callery, Elvins, Henry F. C., Jones, Kaiser, Mattheus, Murphy, Pennington, Riordan, Robbins, Tillman, Willever, Wilson—16.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 28th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 191, entitled "A further supplement to an act entitled 'An act to secure purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Senate Bill No. 200, entitled "An act to amend section seventy-eight of an act relating to courts having criminal jurisdiction, and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 203, entitled "An act concerning inns and taverns and the sale of intoxicating liquors,"

Senate Bill No. 207, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, nineteen hundred and two,

Senate Bill No. 208, entitled "An act to establish criminal courts of record in municipalities in counties of the first class, upon the recommendation of the prosecutor of the pleas of such counties and regulating the jurisdiction, duties and powers of such courts,

Senate Bill No. 209, entitled "A further supplement to an act entitled 'An act to incorporate associations not for pecuniary profit,'" approved April twenty-first, eighteen hundred and ninety-eight,

Senate Bill No. 210, entitled "An act to provide for an official stenographer for the orphans' court in counties of the first class,

Senate Bill No. 211, entitled "A supplement to an act entitled 'An act to compel the determination of claims to real estate in

certain cases, and to quiet the title to the same,' " approved March second, one thousand eight hundred and seventy,

Senate Bill No. 217, entitled "An act to repeal an act entitled 'An act to provide for payment of improvement certificates issued by, or on behalf of, for, or on behalf, such municipalities where assessments have not been collected, or where there is not sufficient of said assessment available to pay said certificates,' " approved April eighth, one thousand nine hundred and three,

Senate Bill No. 220, entitled "An act to amend an act entitled 'An act to compel the determination of drains to real estate in certain cases and to quiet the title to the same,' " approved March second, one thousand eight hundred and seventy,

Senate Bill No. 229, entitled "An act to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants, and to provide for the payment and cost thereof,"

And

Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

In which the concurrence of the House of Assembly is requested.

Also

Assembly Bill No. 13, entitled "An act concerning sidewalks upon or along county roads,"

Assembly Bill No. 48, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes (Revision of 1903),' " approved April third, one thousand nine hundred and three,

Assembly Bill No. 69, entitled "A supplement to an act entitled 'An act to amend an act entitled "A supplement to an act entitled 'An act relative to oaths and affidavits (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March twelfth, one thousand eight hundred and eighty,' " and which amendment was approved March twenty-third, one thousand nine hundred,

Assembly Bill No. 77, entitled "A supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents in towns, town-

ships, 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,

Assembly Bill No. 121, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 131, entitled "An act relating to county detectives in counties of the first class,"

Assembly Bill No. 141, entitled "An act to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes,"

Assembly Bill No. 159, entitled "An act concerning streets and highways in townships,"

Assembly Bill No. 209, entitled "An act to amend an act entitled 'An act for the relief of executors, administrators and assignees,' " approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Assembly Bill No. 253, entitled "An act to amend an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

Assembly Bill No. 259, entitled "An act to repeal an act entitled 'A further supplement to an act entitled "An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,' " approved April seventeenth, eighteen hundred and forty-six," which supplement was approved March twenty-second, eighteen hundred and ninety-five,

Assembly Bill No. 260, entitled "An act to authorize consolidated and annexed municipalities to make assessments for local improvements,"

And

Assembly Bill No. 310, entitled "A supplement to an act entitled 'An act to authorize cities of the first class in this state to provide annual excursions for the children of the same,' ap-

proved March twenty-eighth, one thousand nine hundred and four,"

Without amendment.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Wright,

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Hamill, Henry G. C., Hoagland, Johnstone, Jones, Layden, Lehlbach, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Reed, Scott, Scovel, Shaw, Taylor, Van Derveer, Wildrick, Wright—37.

In the negative were—

Messrs. Ernst Gibbs, Shedaker, Tillman—4.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mabie,

Senate Bill No. 110, entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" approved April twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer Wildrick, Wright—39.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr Fordyce,

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—41.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Wright,

Senate Bill No. 24, entitled "An act to repeal an act entitled 'An act concerning official fees and rendering an account thereof,'" approved March fourteenth, one thousand eight hundred and seventy-nine, and to release penalties incurred thereunder,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Reed offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Chas. McDonald and Hon. Amzi Posten, of Monmouth county, former members of this House.

On motion of Mr. Barber,

Senate Bill No. 158, entitled "An act concerning the election and incorporation of the trustees and the management of the temporal affairs of christian congregations connected with the Presbyterian church in the United States of America,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Scovel,

Senate Bill No. 163, entitled "A supplement to an act entitled 'An act concerning district courts (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Lov-

eridge, Mabie, Manners, Marelli, Mattheus, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—41.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Wildrick,

Senate Bill No. 193, entitled "An act respecting soldiers' monuments,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Gallagher

Assembly Bill No. 200, entitled "An act for the appointment of a board for the examination and licensing of sanitary plumbers, and defining the duties and powers of said board,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Dalrymple,

Senate Bill No. 119, entitled "An act to amend an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,'" approved March twenty-ninth, A. D. one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—41.

In the negative was—

Mr. Martin—1.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Dalrymple,

Senate Bill No. 120, entitled "A supplement to an act entitled 'An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof,'" approved March twenty-ninth, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden,

Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lehlbach,

Assembly Committee Substitute for

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—43.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Dalrymple offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Henry Crosley Allen, a former member of Congress from the Sixth Congressional district of this State.

On motion of Mr. Pearce,

Senate Bill No. 156, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "A supplement

to an act entitled 'An act to regulate fishing with seines in Barnegat bay,' " passed February seventeenth, one thousand eight hundred and forty-two,' which supplement was approved April twenty-first, one thousand eight hundred and seventy-six," and said amendatory act approved May fourteenth, one thousand eight hundred and ninety-four,' and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight," and which further amendatory act was approved March twenty-second, one thousand nine hundred,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Reed,

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requects its concurrence therein.

On motion of Mr. Coyne,

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—41.

In the negative were—

Messrs. Lange, Martin—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,'" approved March twenty-first, one thousand eight hundred and ninety-five,

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Assembly Bill No. 269, entitled "An act to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents, being liens upon land and sales therefor,"

Assembly Bill No. 333, entitled "An act to amend an act entitled 'An act concerning district court fees" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 335, entitled "A further supplement to an act entitled 'An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties,'" approved March thirty-first, one thousand eight hundred and eighty-seven,

Assembly Bill No. 338, entitled "An act to repeal section eighty-one of an act entitled 'A further supplement to an act entitled "An act to provide for the incorporation and regulation of insurance companies,"'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 372, entitled "An act relating to the appointment, removal, government and control of police and providing for the appointment of a board of police commissioners in towns,"

Assembly Bill No. 384, entitled "An act to incorporate the borough of Laurel Springs,"

And

Assembly Bill No. 391, entitled "An act to amend an act entitled 'An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this state,'" approved March twenty-eighth, nineteen hundred and four,

Correctly printed.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 383, entitled "An act to authorize townships in this state to re-improve any road or street,"

Favorably, without amendment.

The Senate message was then taken up, and

Senate Bill No. 191, entitled "A further supplement to an act entitled 'An act to secure purity of foods, beverakes, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Senate Bill No. 200, entitled "An act to amend section seventy-eight of an act relating to courts having criminal jurisdiction, and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 203, entitled "An act concerning inns and taverns and the sale of intoxicating liquors,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 207, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, nineteen hundred and two,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 208, entitled "An act to establish criminal courts of record in municipalities in counties of the first class, upon the recommendaton of the prosecutor of the pleas of such counties and regulating the jurisdiction, duties and powers of such courts,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 209, entitled "A further supplement to an act entitled 'An act to incorporate associations not for pecuniary profit,'" approved April twenty-first, eighteen hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 210, entitled "An act to provide for an official stenographer for the orphans' court in counties of the first class,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 211, entitled "A supplement to an act entitled 'An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same,' " approved March second, one thousand eight hundred and seventy,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 217, entitled "An act to repeal an act entitled 'An act to provide for payment of improvement certificates issued by, or on behalf of, for, or on behalf, such municipalities where assessments have not been collected, or where there is not sufficient of said assessment available to pay said certificates,' " approved April eighth, one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 220, entitled "An act to amend an act entitled 'An act to compel the determination of drains to real estate in certain cases and to quiet the title to the same.' " approved March second, one thousand eight hundred and seventy,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 229, entitled "An act to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants, and to provide for the payment and cost thereof,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Mr. Gibbs offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Pennsylvania members of the Joint Commission on Fisheries of the Delaware River.

On motion of Mr. Barber,

Assembly Bill No. 356, entitled "An act to amend an act entitled 'An act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof,'" approved May tenth, one thousand eight hundred and eighty-four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Barber, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Pearce, Perkins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Wildrick, Wright—42.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it be to meet to-morrow morning, at 10:30 A. M.

On motion of Mr. Duffield, the House then adjourned.

WEDNESDAY, March 29th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. Aloys M. Fish, Ph. D., O. M. C., of Trenton, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever Wright—55.

Absent—

Messrs. Ernst, Gallagher, Manners, Wilson—4.

The minutes of the last meeting were read and approved.

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Edward M. Stanton, Police Justice of Hoboken.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 229, entitled "An act to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants, and to provide for the payment and cost thereof,"

And

Senate Bill No. 99, entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks and streams of this state, and to prevent the waters thereof from being carried by pipes, conduits, ditches or canals into other states, for use therein, and to authorize the court of chancery to assist in the observance of this act,"

Favorably, without amendment.

Mr. Gibbs, on leave, introduced

Assembly Bill No. 402, entitled "A supplement to an act entitled, 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,' approved March twenty-third, nineteen hundred and three,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Buck,

Assembly Bill No. 335, entitled "A further supplement to an act entitled 'An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties,'" approved March thirty-first, one thousand eight hundred and eighty-seven,

Was recommitted to the Committee on Public Health.

Mr. Colby, Chairman of the Committee on Education, reported

Senate Joint resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Favorably, without amendment.

Mr. Miller, on leave, introduced

Assembly Bill No. 403, entitled "An act to change the name of Jennie Paullin Jaggers,"

Which was read for the first time by its title, ordered to have a second reading.

On motion of Mr. Miller, the rules were suspended, and

Assembly Bill No. 403, entitled "An act to change the name of Jennie Paullin Jaggers,"

Was put on second reading without reference.

On motion of Mr. Miller,

Assembly Bill No. 403, entitled "An act to change the name of Jennie Paullin Jaggers,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Miller

Assembly Bill No. 403, entitled "An act to change the name of Jennie Paullin Jaggers,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three,

Favorably, without amendment.

On motion of Mr. Buck,

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Buck,

Assembly Bill No. 383, entitled "An act to authorize townships in this state to re-improve any road or street,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 396, entitled "An act to provide for the appointment of a commission to revise and codify the law relating to master and servant,"

Assembly Bill No. 397, entitled "A further supplement to an act entitled 'An act respecting conveyances (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight,"

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Favorably, without amendment.

And

Committee Substitute for

Assembly Bill No. 388, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Favorably without amendment.

Mr. Coyne moved for the consideration of the

Assembly concurrent resolution relative to returning the flag captured in the battle of Newbern, North Carolina, March fourth, one thousand eight hundred and sixty-two, to the Governor of North Carolina,

Which motion was agreed to and the Assembly Concurrent Resolution was adopted by the House.

On motion of Mr. Hildreth,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, and the following amendments proposed by Mr. Hildreth were read and adopted:

Amend section one (1) so it will read as follows:

1. Hereafter the compensation of each member of the boards of registry and election, for all services rendered under the provisions of the act to which this is a supplement, in connection with the primary and general election, or any special election held in and for the whole county, shall be as follows, viz.:

In districts where the number of registered voters is not more than one hundred and fifty, twenty dollars; in districts where the number of registered voters is more than one hundred and fifty

and not more than three hundred, twenty-five dollars; in districts where the number of registered voters is more than three hundred, thirty dollars. Said sums to be paid by the county collector and to be in lieu of all other fees and charges whatsoever, which said sums shall also include and be in full for all services rendered at any charter or local election when said charter or local election is held at the time and in connection with any general or special election held in and for the whole county.

On motion of Mr. Hildreth,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Lehlbach,

Assembly Bill No. 396, entitled "An act to provide for the appointment of a commission to revise and codify the law relating to master and servant,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hamill,

Assembly Bill No. 397, entitled "A further supplement to an act entitled 'An act respecting conveyances (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On Motion of Mr. Perkins

Committee substitute for

Assembly Bill No. 388, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Bill No. 395, entitled "A supplement to an act entitled 'An act to amend the law relating to the property of married women (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four,"

And

Senate Bill No. 208, entitled "An act to establish criminal courts of record in municipalities in counties of the first class, upon the recommendation of the prosecutor of the pleas of such counties and regulating the jurisdiction, duties and powers of such courts,

Favorably, without amendment.

On motion of Mr. Duffield.

Assembly Bill No. 395, entitled "A supplement to an act entitled 'An act to amend the law relating to the property of married women (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Fordyce moved that the rules be suspended, and that the vote by which

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Passed the House be reconsidered,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Homill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—51.

In the negative—None.

The Speaker thereupon declared the motion carried.

Mr. Fordyce moved that the rules be suspended, and that the vote by which

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance ,support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Fordyce,

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Was taken up, read a second time, and the following amendments, proposed by Mr. Fordyce, were read and adopted:

Add at the end of section 1 the following:

"Whenever any school district shall contain more than one municipality the board of education may appoint a suitable person as custodian of the school moneys of said district, and may fix his salary and term of office. Such custodian shall give bonds for the faithful discharge of his duties in such amount and with such sureties as said board shall direct, but such bonds shall be for a sum not less than the amount apportioned to said district by the county superintendent of schools. Until the appointment of a custodian of school moneys by the board of education the collector or other person residing in the municipality situate in such school district having the largest amount of taxable property shall be the custodian of the school moneys of such district."

On motion of Mr. Fordyce,

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

At the request of Mr. Hamill the unanimous consent of the House was given for the withdrawal from the files of

Assembly Bill No. 280, entitled "A supplement to an act entitled 'An act to provide for the construction and maintenance of speedways in counties of this state,'" approved March nineteenth, one thousand nine hundred and two,

On motion of Mr. Taylor

Senate Bill No. 99, entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks and streams of this state, and to prevent the waters thereof from being carried by pipes, conduits, ditches or canals into other states, for use therein, and to authorize the court of chancery to assist in the observance of this act,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mills,

Senate Bill No. 229, entitled "An act to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants, and to provide for the payment and cost thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Scovel,

Senate Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Baker,

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three.

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Assembly Bill No. 208, entitled "An act authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint Commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Gibbs,

Assembly Bill No. 384, entitled "An act to incorporate the Borough of Laurel Springs,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Senate Bill No. 152, entitled "An act to create a new township in the county of Burlington, to be called the township of North Hanover,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wildrick, Willever, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

On motion of Mr. Martin,

Senate Bill No. 172, entitled "An act to amend an act entitled 'An act to establish the office of register of deeds and mortgages in certain counties of this state,'" approved March seventh, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Colby, Chairman of the Committee on Education, reported

Assembly Bill No. 400, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free

public schools, and to provide for the maintenance, support and management thereof, approved October nineteenth, one thousand nine hundred and three,"

Favorably, without amendment.

On motion of Mr. Dalrymple,

Assembly Bill No. 400, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Alexander moved that the rules be suspended and that the vote by which

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof,' " approved October nineteenth, one thouand nine hundred and three,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Alexander,

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof,' " approved October nineteenth, one thouand nine hundred and three,

Was taken up, read a second time, and the following amendments proposed by Mr. Alexander were read and adopted:

Add, at the end of line 12, after the words "public charges," the following: *"Provided, however,* that this act shall not apply in any instance where such child or children voluntarily absent

themselves from their mother's place of abode, or are under the care and custody of a guardian appointed by the ordinary, surrogate or any orphans' court, or by the provisions of any duly probated will."

On motion of Mr. Alexander,

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Assembly Joint Resolution No. 2, to promote the equalization of taxes,

Favorably, without amendment.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Senate Bill No. 209, entitled "A further supplement to an act entitled 'An act to incorporate associations not for pecuniary profit,"' approved April twenty-first, eighteen hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Duffield,

Assembly Joint Resolution No. 2, to promote the equalization of taxes,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Senate Bill No. 209, entitled "A further supplement to an act entitled 'An act to incorporate associations not for pecuniary profit,"' approved April twenty-first, eighteen hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Assembly Bill No. 349, entitled A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " which act was approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Assembly Bill No. 349, entitled "A further supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,' " which act was approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach

Committee substitute for

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill,

Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wildrick, Willever, Wright—52.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. F. C. Henry,

Assembly Bill No. 225, entitled "An act to amend an act entitled 'An act concerning district courts (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Colby,

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,'" approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 334, entitled "An act to amend an act entitled 'An act concerning disorderly persons' (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight,"

Favorably, without amendment.

On motion of Mr. Hoagland,

Assembly Bill No. 304, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Mattheus,

Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—54.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 138, entitled "An act to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature,"

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Assembly Bill No. 311, entitled "An act confirming, validating and legalizing any deed or deeds of conveyance of or for lands, tenements, hereditaments or real estate of any decedent whose estate has been decreed to be insolvent, and whose lands have been ordered sold by any orphans' court for the purpose of paying the debts of said decedent, heretofore made and delivered by any administrator or administrators with the will annexed, or by any administrator or administrators debonis non with the will annexed, or by any substituted administrator or administrators, or by the survivors or survivor, successor or successors, of them, him or her, and making the record of said deed or deeds admissible in evidence,"

Assembly Bill No. 313, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourth, one thousand eight hundred and eighty,

Assembly Bill No. 314, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings for criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 386, entitled "An act to authorize the board of fish and game commissioners to coöperate with the department of fisheries of the commonwealth of Pennsylvania, in the propagation of shad, and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose,"

Assembly Bill No. 363, entitled "An act to amend an act entitled 'An act concerning minors, their adoption,, custody and maintenance (Revision of 1902),'"

Assembly Bill No. 390, entitled "An act to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey,"

And

Assembly Bill No. 392, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Also

Senate Bill No. 8, entitled "A supplement to an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Senate Bill No. 84, entitled "An act to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sales of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor,

Senate Committee Substitute for

Senate Bill No. 176, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

All with Assembly amendments,

Correctly printed.

On motion of Mr. Dalrymple,

Assembly Bill No. 369, entitled "An act to create flood district to be called Passaic River Flood District,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildwrick, Willever, Wright—53.

In the negative was—

Mr. Johnstone—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Colby,

Assembly Bill No. 306, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Alexander, Barber, Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Gallagher, Hamill, Heck, Henry G. C., Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Mills, Murphy, Riordan, Scott, Scovel, Shaw, Shedaker, Tillman, Wildrick, Willever, Wright—36.

In the negative were—

Messrs. Baker, Birkholz, Buck, Fordyce, Gibbs, Henry F. C., Hildreth, Hunt, Martin, Miller, Pennington, Taylor —12.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Assembly Bill No. 347, entitled "A supplement to an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),'" approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wildrick, Willever, Wright, —54.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 29th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bill:

Assembly Bill No. 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof."

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices,"

And

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

All with Senate amendments,

Also

Senate Joint Resolution, No. 6, entitled "Joint resolution authorizing the appointment of a commission to report on a necessity or advisability of revising or codifying the poor laws,"

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Senate Bill No. 95, entitled "An act authorizing the New Jersey commission to the Louisiana Purchase Exposition, held at St. Louis in 1904, to remove from St. Louis the New Jersey state building and to re-erect the same on the state grounds at Sea Girt and to furnish the same,"

Senate Bill No. 188, entitled "A further supplement to an act entitled 'An act respecting the compensation of the chancellor and the justices of the supreme court of this state,' " approved March fourteenth, one thousand eight hundred and seventy-nine,

Senate Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this state,' " approved April third, one thousand nine hundred and two,

Senate Bill No. 215, entitled "An act to amend an act entitled 'An act to prevent trespassing with guns,' " approved March fourteenth, eighteen hundred and ninety-five,

Senate Bill No. 221, entitled "An act to authorize incorporated cities, boroughs, towns, villages and townships of this state to borrow money and negotiate temporary loans in anticipation of the receipt of taxes and assessments, and to secure the repayment of the moneys so borrowed,"

Senate Bill No. 223, entitled "An act concerning the division of wards in cities of the second class in this state,"

Senate Bill No. 224, entitled "A further supplement to an act entitled 'An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof,'" approved April eighteenth, one thousand eight hundred and eighty-four,

And

Senate Bill No. 231, entitled "A further supplement to an act entitled 'An act to authorize the incorporation of rural cemetery associations and to regulate cemeteries'" (Revision), approved April ninth, eighteen hundred and seventy-five,

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Elvins,

Senate Bill No. 141, entitled "An amendment to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,'" approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Hillman, Wildrick, Willever, Wright —54.

In the negative—None.

Ordered, that the Speaker sign said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Assembly Bill No. 393, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' "

And

Assembly Bill No. 190, entitled "An act to authorize cities of the first class to contract to supply water to certain other municipalities in this state,"

Favorably, without amendment.

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Assembly Bill No. 399, entitled "An act to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield,"

Favorably, without amendment.

Mr. Henry, F. C., Chairman of the Committee on State Hospitals, reported

Senate Bill No. 149, entitled "An act for the relief of the New Jersey state hospital at Trenton, and to provide additional accommodation for the insane of this state,"

Favorably, without amendment.

On motion of Mr. Elvins,

Senate Bill No. 183, entitled "A supplement to an act entitled 'An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants,' " approved March twenty-fourth, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 220, entitled "An act to amend an act entitled 'An act to compel the determination of drains to real estate in certain cases and to quiet the title to the same,' " approved March second, one thousand eight hundred and seventy,

Favorably, without amendment.

Mr. Birkholz, Chairman of the Committee on Banks and Insurance, reported

Senate Bill No. 104, entitled "An act to amend the negotiable instrument law relative to the payment of forged checks,"

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 223, entitled "An act concerning the division of wards in cities of the second class in this state,"

Favorably without amendment.

The Senate message was then taken up and

Senate Joint Resolution No. 6, entitled "Joint resolution authorizing the appointment of a commission to report on a necessity or advisability of revising or codifying the poor laws,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Senate Bill No. 188, entitled "A further supplement to an act entitled 'An act respecting the compensation of the chancellor and the justices of the supreme court of this state,' " approved March fourteenth, one thousand eight hundred and seventy-nine,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this state,'" approved April third, one thousand nine hundred and two,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 215, entitled "An act to amend an act entitled 'An act to prevent trespassing with guns,'" approved March fourteenth, eighteen hundred and ninety-five,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Senate Bill No. 221, entitled "An act to authorize incorporated cities, boroughs, towns, villages and townships of this state to borrow money and negotiate temporary loans in anticipation of the receipt of taxes and assessments, and to secure the repayment of the moneys so borrowed,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 223, entitled "An act concerning the division of wards in cities of the second class in this state,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 224, entitled "A further supplement to an act entitled 'An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof,'" approved April eighteenth, one thousand eight hundred and eighty-four,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 231, entitled "A further supplement to an act entitled 'An act to authorize the incorporation of rural cemetery associations and to regulate cemeteries'" (Revision), approved April ninth, eighteen hundred and seventy-five,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

On motion of Mr. Barber,

Senate Bill No. 149, entitled "An act for the relief of the New Jersey state hospital at Trenton, and to provide additional accommodation for the insane of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 223, entitled "An act concerning the division of wards in cities of the second class in this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Committee substitute for

Senate Bill No. 104 entitled "An act to amend the negotiable instrument law relative to the payment of forged checks,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Senate Bill No. 220, entitled "An act to amend an act entitled 'An act to compel the determination of drains to real estate in certain cases and to quiet the title to the same,'" approved March second, one thousand eight hundred and seventy,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Assembly Bill No. 334, entitled "An act to amend an act entitled 'An act concerning disorderly persons' (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Assembly Bill No. 393, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Hamill,

Assembly Bill No. 190, entitled "An act to authorize cities of the first class to contract to supply water to certain other municipalities in this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Perkins,

Assembly Bill No. 399, entitled "An act to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

Senate amendments to

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices,"

Were taken up, and the Speaker put the question "Shall the Senate amendments to

Assembly Bill No. 3, entitled 'An act relating to the issue and redemption of trading stamps and other devices,'

Have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Were taken up and the Speaker put the question "Shall Senate amendments to

Assembly Bill No. 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Have a third reading?"

Which was agreed to.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 178, entitled "An act providing for the appointment of clerks to recorders in certain cities of the second class in this state and defining their duties,"

Favorably, without amendment.

Assembly Bll No. 305, entitled "An act to provide for the better security of life and limb in buildings,"

With the following committee amendments,

Which were read and adopted.

Amend section 1, line 1, by striking out the word "three" and inserting, instead, "four"; line 3 by striking out word "two" and inserting, instead, "three"; at the end of section 1 add "*provided,* that such safeguard need not be applied to any window when the entire surfaces thereof can be reached from wholly within the building."

On motion of Mr. Lehlbach,

Assembly Bill No. 305, entitled "An act to provide for the better security of life and limb in buildings,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Scovel,

Senate Bill No. 178, entitled "An act providing for the appointment of clerks to recorders in certain cities of the second class in this state and defining their duties,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 29th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

With Senate amendments,

Senate Bill No. 118, entitled "A further supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Senate Bill No. 234, entitled "An act appointing three commissioners on the part of the state of New Jersey to confer with three commissioners to be appointed on the part of the state of Delaware, in accordance with the provisions of the compact between the states of New Jersey and Delaware respecting the Delaware river and bay, defining their duties and powers, and appropriating money to pay the necessary expenses thereof,"

In whih the concurrence of the House of Assembly is requested.

And has also reconsidered the vote by which

Assembly Bill No. 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Was passed in accordance with request of the House of Assembly expressed in Assembly message dated March 28th.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up, and

Senate Bill No. 118, entitled "A further supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Game and Fisheries.

Senate Bill No. 234, entitled "An act appointing three commissioners on the part of the state of New Jersey to confer with three commissioners to be appointed on the part of the state of Delaware, in accordance with the provisions of the compact between the states of New Jersey and Delaware respecting the Delaware river and bay, defining their duties and powers, and appropriating money to pay the necessary expenses thereof,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate amendments to

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Were taken up, and the Speaker put the question "Shall Senate amendments to

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

Have a third reading?"

Which was agreed to.

Mr. Duffield moved that the House concur in Senate amendments to

Assembly Bill No. 226, entitled "An act to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments,"

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Wright—45.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Mr. Reed offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. Samuel W. Kirkbride, a former member of this House, from the county of Monmouth.

On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 2:30 o'clock.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—54.

Absent—

Messrs. Johnstone, Manners, Tillman Van Derveer, Wilson—5.

On motion of Mr. Gibbs,

Assembly Bill No. 299, entitled "An act to amend 'A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," which further supplement was approved April fourteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher,

Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee substitute for

Assembly Bill No. 219, entitled "An act providing for the annual audit of the finances of municipalities,"

Senate Bill No. 207, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, nineteen hundred and two,

Senate Bill No. 52, entitled "An act concerning free public libraries in all cities, boroughs, towns, townships and villages of this state (Revision of 1905),"

Favorably, without amendment.

On motion of Mr. Scovel

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Marelli, Martin, Mattheus,

Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Wright,

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C. Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Marelli, Martin, Mattheus, Miller, Mills Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Willever, Wright—50.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Marelli

Senate Bill No. 223, entitled "An act concerning the division of wards in cities of the second class in this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hil-

dreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Layden, Lehlbach, Marelli, Martin, Miller, Mills, Pearce, Pennington Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wright—40.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations reported

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

With the following committee amendments,

Which were read and adopted.

Amend title by striking out the word "free."

Amend section 1 to read

1. The state board of health shall provide such laboratory or laboratories, apparatus, materials and other requirements necessary to make or prepare and distribute diphtheria antitoxin to the inhabitants of this state.

Amend section 2 to read

2. The state board of health shall make or prepare and and distribute, at cost, in sufficient quantities to supply the inhabitants of this state, diphtheria antitoxin in such manner, through local boards of health or otherwise, as the said state board of health shall, by rules, determine.

Add a new section as follows:

3. This act shall take effect immediately.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Senate Bill No. 9, entitled "An act to amend an act entitled 'An act concerning corporations (Revision of 1896),'" approved April twenty-first, one thousand eight hundred and ninety-six,

Senate Bill No. 108, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" ap-

proved April ninth, one thousand eight hundred and seventy-five,

Favorably, without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 210, entitled "An act to provide for an official stenographer for the orphans' court in counties of the first class,"

Favorably, without amendment.

Mr. Dalrymple moved that the rules be suspended and that the vote by which

Senate Joint resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Was advanced to third reading be reconsidered, and that

Senate Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Dalrymple,

Senate Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Was taken up, read a second time, and the following Assembly substitute, proposed by Mr. Dalrymple, was read:

Joint Resolution requesting the trustees of the teachers' retirement fund to report the particulars and details as to the condition of said fund to the next session of the Legislature.

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

1. The trustees of the teachers' retirement fund are hereby requested to report to the next session of the Legislature full particulars and details as to the condition of said fund, covering the number of teachers contributing thereto, the present beneficiaries,

the probable beneficiaries, the likelihood of the fund meeting the demand upon it, the character of its investments, its present annual income and expenditure, the standing of the fund among the teachers, and such other information and such recommendations in this connection as may seem wise in the judgment of the trustees.

Mr. Duffield offered the following substitute in place of the Assembly substitute proposed by Mr. Dalrymple to

Senate Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Amend enacting clause by striking out the words "Be it enacted," and substitute therefor the words "Be it resolved,"

Upon the adoption of which the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Colby, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Hildreth, Hoagland, Kaiser, Lehlbach, Marelli, Martin, Pearce, Pennington, Perkins, Robbins, Taylor—22.

In the negative were—

Messrs. Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Ernst, Hamill, Heck, Henry G. C., Hulse, Hunt, Jones, Lange, Layden, Loveridge, Mabie, Miller, Mills, Murphy, Reed, Riordan, Scott, Scovel, Shaw, Shedaker, Wildrick, Willever, Wright—29.

The Speaker thereupon declared the substitute lost.

The question then recurring on the adoption of the Assembly Substitute, offered by Mr. Dalrymple, the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Baker, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Ernst, Hamill, Heck, Henry G. C., Hulse, Hunt, Jones, Lange, Layden, Loveridge, Mabie, Miller, Mills, Murphy, Reed, Riordan, Scott, Scovel, Shaw, Shedaker, Wildrick, Willever, Wright—31.

In the negative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Colby, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Hildreth, Hoagland, Kaiser, Lehlbach, Marelli, Martin, Pearce, Pennington, Perkins, Robbins, Taylor—22.

The Speaker thereupon declared the Assembly Substitute adopted.

On motion of Mr. Marelli,

Senate Bill No. 140, entitled "Supplement to an act entitled 'An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof,' " approved March twenty-fourth, one thousand nine hundred and four,

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C. Hildreth, Hoagland, Hulse, Jones, Layden, Lehlbach, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

Mr. Hulse, Chairman of the Committee on Incidental Expenses, reported

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

Favorably, without amendment.

Mr. Buck, Chairman of the Committee on Public Health, reported

Senate Bill No. 126, entitled "An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' " approved March twenty-first, one thousand nine hundred and one,

Favorably, without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Committee substitute for

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

And

Senate Bill No. 211, entitled "A supplement to an act entitled 'An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same,'" approved March second, one thousand eight hundred and seventy,

With the following committee amendment,

Which was read and adopted:

In section one, line nineteen, strike out the word "shall" and insert the word "may" in lieu and instead thereof.

On motion of Mr. Hamill,

Senate Bill No. 211, entitled "A supplement to an act entitled 'An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same,'" approved March second, one thousand eight hundred and seventy,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 257, entitled "An act to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class,"

Assembly Bill No. 270, entitled "An act for the sale in fee of land purchased by any taxing district for taxes, assessments or water rents (Revision of 1905),"

And

Senate Bill No. 156, entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "A supplement to an act entitled 'An act to regulate fishing with seines in Barnegat bay,'" passed February seventeenth, one thousand eight hun-

dred and forty-two,' which supplement was approved April twenty-first, one thousand eight hundred and seventy-six," and said amendatory act approved May fourteenth, one thousand eight hundred and ninety-four,' and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight," and which further amendatory act was approved March twenty-second, one thousand nine hundred,

Senate Bill No. 169, entitled "A further supplement to an act entitled 'An act relative to sales of land under a public statute, or by virtue of any judicial proceedings'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Both with Assembly amendments,

Correctly printed.

On motion of Mr. Dalrymple,

Committee substitute for

Assembly Bill No. 219, entitled "An act providing for the annual audit of the finances of municipalities,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. F. C. Henry,

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. F. C. Henry,

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

As amended,

Was put on third reading.

On motion of Mr. F. C. Henry,

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

As amended,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—53.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Birkholz offered the following resolution, which was read and adopted:

Resolved, That the privilege of the floor be extended to the Hon. William Cardwell, Mayor of East Orange.

On motion of Mr. Pennington,

Senate Bill No. 122, entitled "A supplement to 'An act concerning savings banks,'" approved April twenty-first, one thousand eight hundred and seventy-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin,

Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever—53.

In the negative was—Mr. Wright—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hulse,

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Coyne,

Committee substitute for

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

Was taken up, read a second time, and the following amendments, proposed by Mr. Buck, were read and adopted:

Amend section two, after the word "appoint," the words, "one of the state prison inspectors or."

Amend section four, line six, by inserting after the word "any," the words "inspector or."

Amend section four, line nine, by inserting after the word "said," the words "inspector or."

On motion of Mr. Coyne,

Committee substitute for

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 207, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, nineteen hundred and two,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Barber,

Committee substitute for

Senate Bill No. 52, entitled "An act concerning free public libraries in all cities, boroughs, towns, townships and villages of this state (Revision of 1905),"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 9, entitled "An act to amend an act entitled 'An act concerning corporations (Revision of 1896),'" approved April twenty-first, one thousand eight hundred and ninety-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Senate Bill No. 108, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" approved April ninth, one thousand eight hundred and seventy-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Hamill

Senate Bill No. 210, entitled "An act to provide for an official stenographer for the orphans' court in counties of the first class,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Senate Bill No. 126, entitled "An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Senate Bill No. 61, entitled "An act to authorize any city, or other municipality, where a street railroad has laid in part of any of its streets or avenues, and said railroad company has paved and maintains a certain space through the part of such street or avenue where its railroad is laid, to lay out and maintain as a lawn or arbor through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pennington, Perkins, Riordan, Robbins, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright —48.

In the negative were—

Messrs. Henry G. C., Hulse, Pearce, Reed, Scott, Shaw—6.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hamill,

Senate Bill No. 229, entitled "An act to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants, and to provide for the payment and cost thereof;"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin,

Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—54.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Duffield moved that the rules be suspended and that the vote by which

Assembly Joint Resolution No. 2, to promote the equalization of taxes,

Was advanced to third reading, be reconsidered, and that the same

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Duffield,

Assembly Joint Resolution No. 2, to promote the equalization of taxes,

Was taken up, read a second time, and the following amendment, proposed by Mr. Duffield, was read and adopted:

Add the following title:

"Joint Resolution to promote the equalization of taxes."

On motion of Mr. Duffield

Assembly Joint Resolution No. 2, to promote the equalization of taxes,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

Mr. Dalrymple moved that the rules be suspended and that the vote by which

Assembly Bill No. 307, entitled "An act to amend an act entitled "An act providing for the pensioning of school teachers in this state,' " approved March fifth, nineteen hundred and three,

Was advanced to third reading be reconsidered, and that

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,' " approved March fifth, nineteen hundred and three,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Dalrymple,

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,'" approved March fifth, nineteen hundred and three,

Was taken up, read a second time, and the following amendments, proposed by Mr. Dalrymple, were read and adopted:

Amend section one, line five, by inserting after the words "thirty-five" the word "consecutive."

Amend same section, line eight, by inserting after the word "on" the word "one."

Amend same line by striking out the word "maximum" and inserting in lieu thereof the word "average."

Amend same section by adding at the end thereof the following: "The provisions of this section shall not apply to any person to whom there has been heretofore or to whom there shall be hereafter paid any pension or annuity from any fund established under the laws of this state for the payment of pensions or annuities to teachers."

On motion of Mr. Dalrymple,

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,'" approved March fifth, nineteen hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller,

Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Sott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—52.

Absent—

Messrs. Gibbs, Johnstone, Manners, Mattheus, Tillman, Van Derveer, Wilson—7.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 128, entitled "A supplement to an act entitled 'An act concerning the removal of trust property out of this state and providing proceedings therefor,'" approved March sixth, one thousand eight hundred and eighty-six,

Favorably, without amendment.

On motion of Mr. Miller,

Assembly Bill No. 348, entitled "An act to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Buck, Henry G. C., Kaiser, Layden, Loveridge, Marelli, Miller, Pearce, Reed, Scott, Shaw, Wright—14.

In the negative were—

Messrs. Baker, Barber, Birkholz, Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Fordyce, Gallagher, Heck, Henry F. C., Hoagland, Hulse, Hunt, Jones, Lehlbach, Mabie, Martin, Murphy, Perkins, Robbins, Riordan, Scovel, Shedaker, Taylor, Wildrick, Willever—32.

The Speaker thereupon declared the bill lost.

On motion of Mr. Miller,

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Buck, Hunt, Jones, Miller, Reed, Wright—7.

In the negative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Colby, Coyne, Dalrymple, Duffield, Elvins, Ernst, Fordyce, Gallagher, Heck, Henry F. C., Henry G. C., Hoagland, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Martin, Mills, Murphy, Pearce, Perkins, Riordan, Robbins, Scott, Scovel, Shaw, Wildrick, Willever,—35.

The Speaker thereupon declared the bill lost.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 29, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following concurrent resolution:

WHEREAS,

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Was, by concurrent resolution, recalled from the Governor for further consideration by the Senate, and whereas said bill has not been amended or changed in any particular whatsoever, therefore be it

Resolved (by the Senate, the House of Assembly concurring), That said

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Be returned to the Governor for his consideration.

In which the concurrence of the House of Assembly is requested;

HOWARD L. TYLER,
Secretary of the Senate.

The above Senate message relative to the return of

Senate Bill No. 67, entitled "An act annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county,"

Was taken up and concurred in by the House.

On motion of Mr. Shedaker,

Senate Bill No. 128, entitled "A supplement to an act entitled 'An act concerning the removal of trust property out of this state and providing proceedings therefor,' " approved March sixth, one thousand eight hundred and eighty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Senate amendments to

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Were taken up and the Speaker put the question, "Shall Senate amendments to

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Have a third reading?"

Which was agreed to.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 234, entitled "An act appointing three commissioners on the part of the state of New Jersey to confer with three commissioners to be appointed on the part of the state of Delaware, in accordance with the provisions of the compact between the states of New Jersey and Delaware respecting the Delaware river and bay, defining their duties and powers, and appropriating money to pay the necessary expenses thereof,"

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes' " (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

And

Assembly Bill No. 296, entitled "A supplement to an act establishing a court for the trial of juvenile offenders, and defining

its duties and powers," approved April eighth, one thousand nine hundred and three,

With the following committee amendments, which were read and adopted:

Amend section one, as follows:

In line two, after the word "state," and before the word "where," insert a comma and the words "having a population of one hundred and fifty thousand or more," and after the word "may," and before the word "hereafter," insert the words "in such counties."

Strike out, in line eight, the word "various," and insert in lieu thereof the word "said."

Strike out, in line eight, the period, and insert in lieu thereof a semicolon and the words "provided, that no such building or buildings shall be erected without the consent and approval of the judge of the juvenile court."

On motion of Mr. Wright,

Assembly Bill No. 296, entitled "A supplement to an act establishing a court for the trial of juvenile offenders, and defining its duties and powers," approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Scovel,

Senate Bill No. 234, entitled "An act appointing three commissioners on the part of the state of New Jersey to confer with three commissioners to be appointed on the part of the state of Delaware, in accordance with the provisions of the compact between the states of New Jersey and Delaware respecting the Delaware river and bay, defining their duties and powers, and appropriating money to pay the necessary expenses thereof,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Senate amendments to

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Were taken up and the Speaker put the question "Shall Senate amendments to

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Have a third reading?"

Which was agreed to.

Mr. Reed moved that the House concur in Senate amendments to

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—53.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Were taken up on third reading and concurred in by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—53.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Mr. Hunt, Chairman of the Committee on Boroughs and Borough Commissions, reported:

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

With the following committee amendment,

Which was read and adopted.

Change, in line 16, the word "vote" to "voters."

Amend line 20 by omitting coma after the word "dollars."

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 190, entitled "An act to authorize cities of the first class to contract to supply water to certain other municipalities in this state,"

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 305, entitled "An act to provide for the better security of life and limb in buildings,"

Assembly Bill No. 334, entitled "An act to amend an act entitled 'An act concerning disorderly persons' (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight,"

Assembly Bill No. 334, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' " approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 383, entitled "An act to authorize townships in this state to re-improve any road or street,"

Assembly Bill No. 388, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 393, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' "

Assembly Bill No. 395, entitled "A supplement to an act entitled 'An act to amend the law relating to the property of married women (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four,"

Assembly Bill No. 396, entitled "An act to provide for the appointment of a commission to revise and codify the law relating to master and servant,"

Assembly Bill No. 397, entitled "A further supplement to an act entitled 'An act respecting conveyances (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 399, entitled "An act to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield,"

And

Assembly Bill No. 400, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and

management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Correctly printed.

On motion of Mr. Barber,

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Barber,

Senate Bill No 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Was placed on third reading and final passage.

On motion of Mr. Barber,

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Loveridge, Mabie, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Assembly Bill No. 365, entitled "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, eighteen hundred and ninety-eight,"

With the following committee amendment,

Which was read and adopted:

In section one, line ten, strike out the words "at the time of the desertion."

On motion of Mr. Alexander,

Assembly Bill No. 365, entitled "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, eighteen hundred and ninety-eight,"

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Miller,

Assembly Bill No. 393, entitled "A supplement to an act enttiled 'An act for the punishment of crimes (Revision of 1898),'"

Was recommitted to the Committee on Revision of Laws.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 29th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Senate Bill No. 241, entitled "An act to amend an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,'" passed March thirty-first, one thousand eight hundred and ninety,

Senate Bill No. 109, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" ap-

proved April ninth, one thousand eight hundred and seventy-five,

Senate Bill No. 190, entitled "A further supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 232, entitled "An amendment to an act entitled 'A further supplement to the act entitled "An act to establish in this state board of health and bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven,'" which said supplement was approved April eighth, one thousand nine hundred and three,

Senate Bill No. 235, entitled "A further supplement to an act entitled 'An act concerning building and loan associations,' approved April eighth, A. D. one thousand nine hundred and three," which supplement was approved March seventh, one thousand nine hundred and four,

Senate Bill No. 236, entitled "A supplement to an act entitled 'An act for the better protection of hotel, inn and boarding-house keepers,'" approved April sixth, one thousand eight hundred and sixty-five,

Senate Bill No. 240, entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Senate Bill No. 242, entitled "A supplement to an act entitled 'An act to establish and regulate the state home for girls (Revision of 1900),'" approved March twenty-third, one thousand nine hundred,

And

Assembly Bill No. 161, entitled "An act to establish, encourage and maintain volunteer fire departments,"

Assembly Bill No. 286, entitled "A supplement to an act entitled 'An act concerning townships' (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine,"

Both with Senate amendments.

In which the concurrence of the House of Assembly is requested.

Also

Assembly Bill No. 80, entitled "An act to provide for the purchase by the state of New Jersey of the annotations to the general statutes of New Jersey and the annotations to the pamphlet laws of the state of New Jersey from one thousand eight hundred and ninety-six to one thousand nine hundred and five,"

Assembly Bill No. 114, entitled "A supplement to an act entitled 'An act regulating the pay of officers and policemen in certain cities of this state,'" approved May ninth, one thousand eight hundred and eighty-nine,

Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester,"

Assembly Bill No. 277, entitled "An act to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties,"

Assembly Bill No. 283, entitled "An act to extend the territorial boundaries of the township of Florence in the county of Burlington by the annexation of a portion of the township of Burlington in said county,"

Assembly Bill No. 8, entitled "An act to provide a method for locating and destroying mosquito-breeding areas, authorizing appropriations for said purposes and providing state aid for freeing salt marsh areas from mosquitoes,"

Assembly Bill No. 199, entitled "Supplement to an act entitled 'An act for the relief of creditors against absent, fraudulent and absconding debtors,'" approved March twentieth, one thousand nine hundred and one,

Assembly Bill No. 264, entitled "A further supplement to an act entitled 'An act concerning district courts' (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight,

Assembly Bill No. 374, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 40, entitled "A further supplement to an act entitled 'An act to authorize two or more municipalities in this state to jointly construct and maintain outlet or trunk sewers,'" approved March fifteenth, one thousand eight hundred and ninety-nine,

Committee substitute for

Assembly Bill No. 132, entitled "An act to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' approved April first, nineteen hundred and three, and the supplements and amendments thereto,"

Assembly Bill No. 134, entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),'"

Assembly Bill No. 174, entitled "An act concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined,"

Assembly Bill No. 175, entitled "An act to repeal sundry statutes,"

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Boroughs and Borough Commissions.

Senate Bill No. 241, entitled "An act to amend an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,'" passed March thirty-first, one thousand eight hundred and ninety,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

Senate Bill No. 109, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" approved April ninth, one thousand eight hundred and seventy-five,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Senate Bill No. 190, entitled "A further supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Senate Bill No. 232, entitled "An amendment to an act entitled 'A further supplement to the act entitled "An act to establish in this state board of health and bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven,'" which said supplement was approved April eighth, one thousand nine hundred and three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Public Health.

Senate Bill No. 235, entitled "A further supplement to an act entitled 'An act concerning building and loan associations.' approved April eighth, A. D. one thousand nine hundred and three," which supplement was approved March seventh, one thousand nine hundred and four,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Banks and Insurance.

Senate Bill No. 236, entitled "A supplement to an act entitled 'An act for the better protection of hotel, inn and boarding-house keepers,'" approved April sixth, one thousand eight hundred and sixty-five,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 240, entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Senate Bill No. 242, entitled "A supplement to an act entitled 'An act to establish and regulate the state home for girls (Revision of 1900),'" approved March twenty-third, one thousand nine hundred,

Was read for the first time by its title ordered to have a second reading, and referred to the Committee on State Home for Girls.

On motion of Mr. Scovel, the House then took a recess until 8 o'clock P. M.

EVENING SESSION.

The House reconvened at 8 o'clock.

Upon the calling of the roll, the following gentleman appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange,

Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—52.

Absent—

Messrs. Johnstone, Mattheus, Pennington, Shaw, Tillman, Van Derveer, Wilson—7.

Senate amendments to

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices,"

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments to

Assembly Bill No. 3, entitled "An act relating to the issue and redemption of trading stamps and other devices,"

Be concurred in?"

Upon which the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Miller, Mills, Murphy, Pearce, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Wildrick, Willever, Wright—45.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Were taken up on third reading, and the Speaker put the question, "Shall Senate amendments to

Assembly Bill No. 272, entitled "An act to amend an act entitled 'An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law,' approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof,"

Be concurred in?"

Upon which the ayes and nays were called with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—46.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

On motion of Mr. Mabie,

Senate Bill No. 176, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Birkholz, Buck, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Martin, Miller, Mills, Pearce, Perkins, Reed, Robbins, Scott, Scovel, Shedaker, Taylor, Wright—33.

In the negative were—

Messrs. Alexander, Boucher, Callery, Hunt, Lange, Loveridge, Murphy, Riordan, Wildrick, Willever—10.

Ordered, that the Speaker sign the said amendments, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hulse,

Senate Bill No. 84, entitled "An act to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sale of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor,"

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel Shedaker, Taylor, Wildrick, Willever, Wright—47.

In the negative were—

Messrs. Coyne, Hunt—2.

Ordered, that the Speaker sign the said amendments, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Colby, Chairman of the Committee on Education, reported

Senate Bill No. 241, entitled "An act to amend an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,'" passed March thirty-first, one thousand eight hundred and ninety,

Favorably, without amendment.

On motion of Mr. Mabie,

Senate Bill No. 8, entitled "A supplement to an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge Mabie, Manners, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said amendments, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hamill,

Assembly Bill No. 397, entitled "A further supplement to an act entitled 'An act respecting conveyances (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—46.

In the negative was—

Mr. Martin—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Gibbs,

Assembly Bill No. 386, entitled "An act to authorize the board of fish and game commissioners to coöperate with the department of fisheries of the commonwealth of Pennsylvania, in the propagation of shad, and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Alvis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative were—

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Robbins,

Assembly Bill No. 294, entitled "An act to amend an act entitled 'An act to regulate the practice of courts of law (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—48.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. F. C. Henry,

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,'" approved March twenty-first, one thousand eight hundred and ninety-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—48.

In the negative was—

Mr. Hoagland—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five."

Correctly printed.

On motion of Mr. Scovel,

Assembly Bill No. 372, entitled "An act relating to the appointment, removal, government and control of police and providing for the appointment of a board of police commissioners in towns,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—49.

In the negative was—

Mr. Hunt—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Miller,

Committee Substitute for

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach

Committee substitute for

Assembly Bill No. 390, entitled "An act to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assmbly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach

Assembly Bill No. 391, entitled "An act to amend an act entitled 'An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this state,'" approved March twenty-eighth, nineteen hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—50.

In the negative was—

Mr. Pearce—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Birkholz,

Assembly Bill No. 314, entitled "A further supplement to an act entitled 'An act concerning disorderly persons (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Birkholz,

Assembly Bill No. 313, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourh, one thousand eight hundred and eighty,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher,

Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same and requests its concurrence therein.

On motion of Mr. Hoagland,

Assembly Bill No. 201, entitled "An act to amend an act entitled 'An act to increase the powers of boards of commissioners,'" approved February twenty-first, one thousand eight hundred and eighty-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—50.

In the negative was—

Mr. Hunt—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hamill,

Senate Bill No. 208, entitled "An act to establish criminal courts of record in municipalities in counties of the first class, upon the recommendaton of the prosecutor of the pleas of such counties and regulating the jurisdiction, duties and powers of such courts,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Buck,

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hildreth,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—49.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Lehlbach,

Assembly Bill No. 396, entitled "An act to provide for the appointment of a commission to revise and codify the law relating to master and servant,"

Was taken up, and under suspension of the rules, was read a third time by its title and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Birkholz,

Assembly Bill No. 338, entitled "An act to repeal section eighty-one of an act entitled 'A further supplement to an act entitled "An act to provide for the incorporation and regulation of insurance companies,"' " approved April third, one thousand nine hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Perkins,

Assembly Bill No. 363, entitled "An act to amend an act entitled 'An act concerning minors, their adoption, custody and maintenance (Revision of 1902),' "

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Senate amendments to

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Were taken up on third reading, and the Speaker put the question "Shall the House concur in Senate amendments to

Assembly Bill No. 35, entitled "An act to authorize the erection of new buildings in counties of this state for almshouse purposes,"

Upon which the ayes and nays were called with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

On motion of Mr. Dalrymple,

Senate Committee Substitute for

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was put on second reading without reference.

On motion of Mr. Dalrymple

Senate Committee Substitute for

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years'

continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Dalrymple moved that

Senate Committee Substitute for

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Be put on third reading and final passage,

Which motion was carried.

On motion of Mr. Dalrymple,

Senate Committee Substitute for

Assembly Bill No. 248, entitled "An act to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said substitute, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

On motion of Mr. Hamill,

Senate Bill No. 209, entitled "A further supplement to an act entitled 'An act to incorporate associations not for pecuniary profit,'" approved April twenty-first, eighteen hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hulse,

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Jones,

Senate Bill No. 185, entitled "An act to amend an act entitled 'An act to regulate elections,'" approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. De Cou, Chairman of the Committee on Elections, reported

Senate Bill No. 240, entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

Mr. Hildreth, Chairman of the Committee on Miscellaneous Business, reported

Senate Bill No. 242, entitled "A supplement to an act entitled 'An act to establish and regulate the state home for girls (Revision of 1900),'" approved March twenty-third, one thousand nine hundred,

Favorably, without amendment.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Senate Bill No. 224, entitled "A further supplement to an act entitled 'An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof,'" approved April eighteenth, one thousand nine hundred and eighty-four,

Senate Bill No. 231, entitled "A further supplement to an act entitled 'An act to authorize the incorporation of rural cemetery associations and to regulate cemeteries'" (Revision), approved April ninth, eighteen hundred and seventy-five,

Favorably, without amendment.

On motion of Mr. Hulse,

Senate Bill No. 130, entitled "An act to provide for the appointment of a commission to report to the governor and legislature some method of improving the judicial system and the system of procedure of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Wright,

Senate Bill No. 63, entitled "An act to amend an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Jones,

Senate Bill No. 186, entitled "Supplement to an act entitled 'An act to regulate elections,'" approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Marelli,

Senate Bill No. 116, entitled "An act to provide for increasing the capacity of the state prison,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Fordyce, Chairman of the Committee on Militia, reported

Senate Bill No. 95, entitled "An act authorizing the New Jersey commission to the Louisiana Purchase Exposition, held at St. Louis in 1904, to remove from St. Louis the New Jersey state building and to re-erect the same on the state grounds at Sea Girt and to furnish the same,"

Favorably, without amendment.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

Correctly printed.

On motion of Mr. Elvins,

Senate Bill No. 207, entitled "A supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" approved April third, nineteen hundred and two,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

On motion of Mr. Wildrick,

Senate Bill No. 194, entitled "An act relative to the care of female insane patients,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, without amendment.

On motion of Mr. Wright,

Senate Bill No. 206, entitled "An act providing for the widening of certain county roads,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Birkholz, Chairman of the Committee on Banks and Insurance, reported

Assembly Bill No. 295, entitled "An act to amend an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Favorably, without amendment.

On motion of Mr. Lange,

Senate Bill No. 115, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lange,

Senate Bill No. 80, entitled "An act to amend an act entitled 'A supplement to an act directing the descent of real estate, approved April sixteenth, one thousand eight hundred and forty six,'" approved March ninth, eighteen hundred and seventy-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth,

Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lange,

Senate Bill No. 81, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Martin,

Senate Bill No. 242, entitled "A supplement to an act entitled 'An act to establish and regulate the state home for girls (Revision of 1900),'" approved March twenty-third, one thousand nine hundred,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Martin,

Senate Bill No. 240, entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Martin moved that

Senate Bill No. 242, entitled "A supplement to an act entitled 'An act to establish and regulate the state home for girls (Revision of 1900),'" approved March twenty-third, one thousand nine hundred,

Be put on third reading for final passage,

Which motion was carried.

On motion of Mr. Martin,

Senate Bill No. 242, entitled "A supplement to an act entitled 'An act to establish and regulate the state home for girls (Revision of 1900),'" approved March twenty-third, one thousand nine hundred,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De-Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Wildrick, Willever, Wright—51.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendments.

Mr. Martin moved that

Senate Bill No. 240, entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Be put on third reading and final passage.

Which motion was carried.

On motion of Mr. Martin,

Senate Bill No. 240, entitled 'A supplement to an act entitled "An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Coyne, De Cou, Duffield, Elvins, Fordyce, Gallagher, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Jones, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Reed, Robbins, Shedaker, Willever—31.

In the negative were—

Messrs. Alexander, Colby, Lange, Loveridge, Perkins, Riordan —6.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

At the request of Mr. Hamill, his notice of March 28th, 1905, to relieve the Committee on Judiciary of further consideration of

Assembly Bill No. 188, entitled "A supplement to an act entitled 'An act relating to information in the nature of a quo warranto (Revision of 1903),'" approved April eighth, nineteen hundred and three,

Assembly Bill No. 189, entitled "An act to revise and amend an act entitled 'An act for the taxation of all property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto,'" which act was approved March twenty-third, nineteen hundred, and the supplements and amendments thereto,

Assembly Bill No. 328, entitled "An act to amend an act entitled 'An act to revise and amend an act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, which act of revision and

amendment was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

And the Committee on Municipal Corporations of

Assembly Bill No. 190, entitled "'An act to authorize cities of the first class to contract to suppy water to certain other municipalities in this state,"

Was laid over until March 30th, 1905.

On motion of Mr. Coyne,

Committee substitute for

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry G. C., Hildreth, Hulse, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Perkins, Reed, Robbins, Shedaker, Wright—35.

In the negative were—

Messrs. Hoagland, Hunt, Pearce—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Reed,

Senate Bill No. 95, entitled "An act authorizing the New Jersey commission to the Louisiana Purchase Exposition, held at St. Louis in 1904, to remove from St. Louis the New Jersey state building and to re-erect the same on the state grounds at Sea Girt and to furnish the same,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 95, entitled "An act authorizing the New Jersey commission to the Louisiana Purchase Exposition, held at St. Louis in 1904, to remove from St. Louis the New Jersey

state building and to re-elect the same on the state grounds at Sea Girt and to furnish the same,"

Was put on third reading and final passage.

On motion of Mr. Reed,

Senate Bill No. 95, entitled "An act authorizing the New Jersey commission to the Louisiana Purchase Exposition, held at St. Louis in 1904, to remove from St. Louis the New Jersey state building and to re-elect the same on the state grounds at Sea Girt and to furnish the same,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Scott, Shedaker, Taylor, Wildrick, Willever, Wright—47.

In the negative was—

Mr. Avis (Speaker)—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Mabie,

Senate Bill No. 108, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" approved April ninth, one thousand eight hundred and seventy-five,

Was taken up, and, under suspension of the rules, was read a third by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hulse, Hunt, Jones, Kaiser, Lange, Lehlbach, Loveridge, Mabie, Manners, Martin, Miller, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Scott, Scovel, Taylor, Wildrick—39.

In the negative were—

Messrs. Avis (Speaker), Elvins, Ernst, Fordyce, Hildreth, Layden, Marelli, Robbins, Shedaker—9.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed he same without amendment.

On motion of Mr. Martin,

Assembly Bill No. 333, entitled "An act to amend an act entitled 'An act concerning district court fees" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Alexander, Birkholz, Buck, Colby, Coyne, Duffield, Ernst, Fordyce, Hulse, Lange, Lehlbach, Martin, Miller, Perkins, Riordan, Robbins, Shedaker—17.

In the negative were—

Messrs. Avis (Speaker), Baker, Barber, Elvins, Heck, Henry G. C., Hildreth, Hoagland, Hunt, Layden, Loveridge, Mabie, Manners, Marelli, Mills, Willever—16.

The Speaker thereupon declared the bill lost.

On motion of Mr. Mabie,

Senate Bill No. 58, entitled "An act concerning corporations of this state organized for religious, educational, charitable or benevolent purposes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Marelli, Mills, Pearce, Reed, Riordan, Robbins, Shedaker, Taylor, Willever —37.

In the negative were—

Messrs. Manners, Martin, Miller—3.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lehlbach,

Senate Bill No. 99, entitled "An act to preserve and maintain the lakes, ponds, brooks, creeks and streams of this state, and to prevent the waters thereof from being carried by pipes, conduits, ditches or canals into other states, for use therein, and to authorize the court of chancery to assist in the observance of this act,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hunt, Lange, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Taylor, Willever—36.

In the negative—None.

Ordered, that the Speaker sign said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hamill,

Assembly Bill No. 311, entitled "An act confirming, validating and legalizing any deed or deeds of conveyance of or for lands, tenements, hereditaments or real estate of any decedent whose estate has been decreed to be insolvent, and whose lands have been ordered sold by any orphans' court for the purpose of paying the debts of said decedent, 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 by any substituted administrator or administrators, or by the survivirs or survivor, successor or successors, of them, him or her, and making the record of said deed or deeds admissible in evidence,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, De Cou, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoag-

land, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Taylor, Willever—38.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Loveridge,

Assembly Bill No. 353, entitled "A supplement to an act entitled 'An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker—36.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Perkins,

Assembly Bill No. 399, entitled "An act to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hildreth,

Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Wildrick, Willever—38.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Buck,

Assembly Bill No. 392, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Perkins, Reed, Riordan, Robobins, Shedaker, Willever—36.

In the negative was—

Mr. Pearce—1.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Mabie,

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Alexander, Buck, Colby, Coyne, Duffield, Ernst, Hamill, Heck, Hoagland, Lange, Layden, Loveridge, Martin, Miller, Perkins, Riordan, Wildrick, Willever—18.

In the negative were—

Messrs. Baker, Barber, Birkholz, De Cou, Elvins, Fordyce, Henry G. C., Hulse, Hunt, Lehlbach, Mabie, Manners, Mills, Pearce, Reed, Robbins, Shedaker—17.

The Speaker thereupon declared the bill lost.

Mr. Mabie moved that the rules be suspended and that the vote by which

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Was lost, be reconsidered.

On motion of Mr. Heck,

The motion of Mr. Mabie to reconsider the vote by which

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Was lost, was laid on the table.

On motion of Mr. Hulse,

Senate Bill No. 149, entitled "An act for the relief of the New Jersey state hospital at Trenton, and to provide additional accommodation for the insane of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Wildrick, Willever—39.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Robbins,

Senate Bill No. 126, entitled "An act to amend an act entitled 'An act to secure the purity of foods, beverages, confectionery,

condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,' " approved March twenty-first, one thousand nine hundred and one,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Wildrick, Willever—39.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Robbins,

Senate Bill No. 128, entitled "A supplement to an act entitled 'An act concerning the removal of trust property out of this state and providing proceedings therefor,' " approved March sixth, one thousand eight hundred and eighty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Wildrick, Willever—39.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Mills,

Senate Bill No. 231, entitled "A further supplement to an act entitled 'An act to authorize the incorporation of rural cemetery

associations and to regulate cemeteries'" (Revision), approved April ninth, eighteen hundred and seventy-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr.

Senate Bill No. 231, entitled "A further supplement to an act entitled 'An act to authorize the incorporation of rural cemetery associations and to regulate cemeteries'" (Revision), approved April ninth, eighteen hundred and seventy-five,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, De Cou, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Wildrick, Willever—39.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 205, entitled "An act authorizing the appointment in counties of the first class in this state of an interpreter of the Polish and Russian languages to the court of common pleas, circuit court, orphans' court, court of general quarter sessions of the peace, court of special sessions, and the public offices connected therewith, and fixing the salary of such interpreter,"

Favorably, without amendment.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Assembly Bill No. 385, entitled "An act providing for the recording of votes and actions of governing bodies in all towns of this state,"

Favorably, without amendment.

On motion of Mr. Hamill,

Assembly Bill No. 295, entitled "An act to amend an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 127, entitled "An amendment to an act entitled 'A supplement to an act entitled "An act concerning idiots and lunatics," approved March twenty-seventh, one thousand eight hundred and seventy-four,'" which supplement was approved March fifteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Heck,

Senate Bill No. 224, entitled "A further supplement to an act entitled 'An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof,'" approved April eighteenth, one thousand eight hundred and eighty-four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Loveridge,

Assembly Bill No. 385, entitled "An act providing for the recording of votes and actions of governing bodies in all towns of this state,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Martin

Senate Bill No. 241, entitled "An act to amend an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,'" passed March thirty-first, one thousand eight hundred and ninety,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 205, entitled "An act authorizing the appointment in counties of the first class in this state of an interpreter

of the Polish and Russian languages to the court of common pleas, circuit court, orphans' court, court of general quarter sessions of the peace, court of special sessions, and the public offices connected therewith, and fixing the salary of such interpreter,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 162, entitled "An amendment to an act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Senate Joint Resolution, No. 6, entitled "Joint resolution authorizing the appointment of a commission to report on a necessity or advisability of revising or codifying the poor laws,"

Favorably, without amendment.

On motion of Mr. Robbins,

Senate Bill No. 127, entitled "An amendment to an act entitled 'A supplement to an act entitled "An act concerning idiots and lunatics," approved March twenty-seventh, one thousand eight hundred and seventy-four,'" which supplement was approved March fifteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Van Derveer,

Senate Bill No. 162, entitled "An amendment to an act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Martin,

Senate Joint Resolution No. 6, entitled "Joint resolution authorizing the appointment of a commission to report on a necessity or advisability of revising or codifying the poor laws,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 23d, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 92, entitled "An act to regulate the practice of osteopathy in the state of New Jersey and to provide for a state board of osteopathic examiners and to license osteopathic physicians to practice in this state, and punish persons violating the provisions of this act,"

Senate Bill No. 226, entitled "A further supplement to an act entitled 'An act respecting constables,' "

Senate Bill No. 238, entitled "An act to amend an act entitled 'An act to regulate elections,' " approved April fourth, eighteen hundred and ninety-eight,

Senate Bill No. 239, entitled "An act to amend an act entitled 'An act relating to newly created municipalities,' " approved April twenty-fourth, eighteen hundred and ninety-eight,

In which the concurrence of the House of Assembly is requested.

And

Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four,' " which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight,

Assembly Bill No. 24, entitled "An act respecting licenses in cities, townships, incorporated towns, incorporated boroughs, or police, sanitary and improvement commissions and incorporated camp-meeting associations and sea-side resorts,"

Assembly Bill No. 90, entitled "An act concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three,"

Assembly Bill No. 164, entitled "An act to amend an act entitled 'An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision,' " approved March twenty-fifth, nineteen hundred and four,

Assembly Bill No. 237, entitled "A supplement to an act entitled 'An act concerning townships (Revision of 1899),'"

Assembly Bill No. 268, entitled "An act to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund,"

Assembly Bill No. 366, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act concerning the military and naval forces (Revision of 1900),"' approved March twenty-fourth, one thousand nine hundred and three,"

Assembly Bill No. 367, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act concerning the military and naval forces" (Revision of 1900),' approved April tenth, one thousand nine hundred and two,"

Without amendment.

And has also concurred in the following concurrent resolution:

WHEREAS, By a brilliant and successful charge at a critical moment in the battle of Newberne, North Carolina, March 4th, 1862, the Ninth New Jersey Volunteers captured within the Confederate works a beautiful flag bearing the inscription: "Beaufort Plow-Boys, Presented by the Ladies of Beaufort, N. C.," and

WHEREAS, The commanding general, in recognition of the valiant services rendered by the Ninth in the battle, permitted the regiment to retain the color, which was subsequently forwarded as a trophy to the State authorities, and is now in the possession of the Adjutant-General; and

WHEREAS, An appropriation of $5,000 was made by the last Legislature for a monument to be erected to the Ninth New Jersey's dead, in the National Cemetery, at Newbern, as a tribute to their heroism, which monument will be dedicated in May next; and

WHEREAS, In view of the existing feelings of regard and affection between the States of North Carolina and New Jersey, it would be appropriate and fitting when the ceremony takes place, to present to the Governor of North Carolina the captured color, that it may be returned by him to the survivors of the "Plow-Boys," or the "Ladies of Beaufort"; therefore, be it

Resolved (The Senate concurring), That the Governor of this State is hereby authorized to return to the Governor of North Carolina at such time and place as he may deem appropriate the flag herein referred to, and now in possession of the Adjutant-General of the State of New Jersey.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and the

Senate Bill No. 226, entitled "A further supplement to an act entitled 'An act respecting constables,' "

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Towns and Townships.

Senate Bill No. 238, entitled "An act to amend an act entitled 'An act to regulate elections,' " approved April fourth, eighteen hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Elections.

Senate Bill No. 239, entitled "An act to amend an act entitled 'An act relating to newly created municipalities,' " approved April twenty-fourth, eighteen hundred and ninety-eight,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

On motion of Mr. Buck,

Assembly Bill No. 383, entitled "An act to authorize townships in this state to re-improve any road or street,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Hamill, Heck, Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Perkins, Reed, Riordan, Robbins, Shedaker, Wildrick, Willever,—39.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That when the House adjourn, it adjourn to meet to-morrow morning at 10:30 A. M.

On motion of Mr. Duffield, the House then adjourned.

THURSDAY, March 30th, 1905.

House met at 10:30 o'clock A. M.

Prayer was offered by Rev. Balder Smith, D.D., of Fairmount, N. J.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

Absent—None.

The minutes of the last meeting were read and approved.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the House immediately resolve itself into a Committee of the Whole, to investigate certain charges respecting bribery of members of this House, made by the *Daily True American,* a newspaper published in the city of Trenton, and that the House, when convened as such committee, shall have full power to send for persons and papers and compel the attendance before it of such person or persons as they may deem necessary and proper to testify in said matter.

The House then resolved itself into a Committee of the Whole, in accordance with the above resolution.

After the Committee of the Whole arose, the House reconvened.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher,

Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

Absent—None.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 190, entitled "A further supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

And

Senate Bill No. 217, entitled "An act to repeal an act entitled 'An act to provide for payment of improvement certificates issued by, or on behalf of, for, or on behalf, such municipalities where assessments have not been collected, or where there is not sufficient of said assessment available to pay said certificates,'" approved April eighth, one thousand nine hundred and three,

Favorably without amendment.

Senate Bill No. 236, entitled "A supplement to an act entitled 'An act for the better protection of hotel, inn and boarding-house keepers,'" approved April sixth, one thousand eight hundred and sixty-five,

With the following committee amendment,

Which was read and adopted:

Amend the title by striking out the present title and insert, in lieu thereof, the following: "A further supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' approved June fourteenth, one thousand eight hundred and ninety-eight."

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 219, entitled "An act providing for the annual audit of the finances of municipalities,"

Assembly Bill No. 296, entitled "A supplement to an act establishing a court for the trial of juvenile offenders, and defining its duties and powers," approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,'" approved March fifth, nineteen hundred and three,"

Assembly Bill No. 365, entitled "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, eighteen hundred and ninety-eight,"

Assembly Joint Resolution No. 2, entitled "Joint resolution to promote the equalization of taxes,"

Assembly Substitute for

Senate Joint Resolution No. 5, entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund,"

Senate Committee Substitute for

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

With Assembly amendments,

Senate Bill No 131, entitled "An act to amend a supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved April seventh, one thousand eight hundred and ninety-eight,

With Assembly amendments,

And

Senate Bill No. 211, entitled "A supplement to an act entitled 'An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same,'" approved March second, one thousand eight hundred and seventy,

With Assembly amendments,

Correctly printed.

Mr. De Cou, Chairman of the Committee on Elections, reported

Senate Bill No. 238, entitled "An act to amend an act entitled 'An act to regulate elections,'" approved April fourth, eighteen hundred and ninety-eight,

Favorably, without amendment.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 30th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,'" approved March seventh, one thousand eight hundred and ninety-three,

Senate Bill No. 244, "An act to change the name of Francis Xavier Krupp.

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

With Senate amendments.

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

With Senate amendments.

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment for water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

With Senate amendments.

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

With Senate amendments.

In which the concurrence of the House of Assembly is requested.

Assembly Bill No. 76, entitled "An act to amend an act entitled 'An act concerning the settlement and collection of arrearages of

unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" approved March thirtieth, one thousand eight hundred and eighty-six,

Assembly Bill No. 163, entitled "Supplement to the act entitled 'An act concerning disorderly persons' (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 197, entitled "An act authorizing the payment before maturity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead,"

Assembly Bill No. 204, 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,"

Assembly Bill No. 215, entitled "An act to amend 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,'" approved April twenty-first, eighteen hundred and seventy-six,

Assembly Bill No. 229, entitled "A supplement to an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898),'"

Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively,"

Assembly Bill No. 368, entitled "An act to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year,"

Assembly Bill No. 369, entitled "An act to create flood district to be called Passaic River Flood District,"

Assembly Bill No. 370, entitled "An act to amend section two of an at entictled 'A further supplement to an act regulating

fisheries in the Mullica river,'" approved April third, one thousand eight hundred and sixty-seven,

Assembly Bill No. 384, entitled "An act to incorporate the Borough of Laurel Springs,"

Committee Substitute for Assembly Bills Nos. 2 and 25, entitled "A supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved January fourteenth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 92, entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof,'" approved March twenty-third, one thousand nine hundred and three,

Assembly Bill No. 105, entitled "An act to amend an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 156, entitled "An act to repeal an act entitled 'An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand,'" approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 210, entitled "An act concerning the time of payment of assessments of benefits of public improvements in towns of this state,"

Assembly Bill No. 218, entitled "A supplement to an act entitled 'An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions,'" approved April seventh, one thousand nine hundred and three,

Assembly Bill No. 221, entitled "A further supplement to an act entitled 'An act to remove the fire and police departments in cities of this state from political control,'" approved May second, one thousand eight hundred and eighty-five,

Assembly Bill No. 223, entitled "An act providing for the more efficient control of the expenditures of state funds,"

Assembly Bill No. 230, entitled "An act to amend an act entitled 'An act concerning consolidated cities and annexed municipalities and townships or portions thereof,'" approved March twenty-second, nineteen hundred,

Assembly Bill No. 245, entitled "An act to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof,"

Assembly Bill No. 249, entitled "An act to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded and where the grantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years,"

Assembly Bill No. 329, entitled "An act authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year,"

Assembly Bill No. 336, entitled "An act to amend an act entitled 'An act respecting the court of chancery (Revision of 1902),'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 351, entitled "An act to provide for the purchase by boards of chosen freeholders of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same,"

Assembly Bill No. 358, entitled "An act to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county,"

Assembly Bill No. 291, entitled "An act to repeal so much of the act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or affect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and

collection of taxes and the deduction of loan association mortgages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation,"

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up and

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,'" approved March seventh, one thousand eight hundred and ninety-three,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Revision of Laws.

Senate Bill No. 244, "An act to change the name of Francis Xavier Krupp,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. Taylor,

Senate Bill No. 190, entitled "A further supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Senate Bill No. 217, entitled "An act to repeal an act entitled 'An act to provide for payment of improvement certificates issued by, or on behalf of, for, or on behalf, such municipalities where assessments have not been collected, or where there is not sufficient of said assessment available to pay said certificates,'" approved April eighth, one thousand nine hundred and three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 236, entitled "A supplement to an act entitled 'An act for the better protection of hotel, inn and boarding-house keepers,' " approved April sixth, one thousand eight hundred and sixty-five,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be re-printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 238, entitled "An act to amend an act entitled 'An act to regulate elections,' " approved April fourth, eighteen hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Elvins,

Senate Bill No. 236, entitled "A supplement to an act entitled 'An act for the better protection of hotel, inn and boarding-house keepers,' " approved April sixth, one thousand eight hundred and sixty-five,

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Riordan, Robbins, Reed, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendment.

On motion of Mr. Miller, the House then took a recess of five minutes.

The House reconvened at 2:40 o'clock P. M.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson Wright—59.

Absent—None.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 244, entitled "An act to change the name of Francis Xavier Krupp,"

Favorably, without amendment.

Mr. Miller, Chairman of the Committee on Revision of Laws, reported

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,' " approved March seventh, one thousand eight hundred and ninety-three,

Favorably, without amendment.

On motion of Mr. Elvins

Senate Bill No. 244, entitled "An act to change the name of Francis Xavier Krupp,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

On motion of Mr. Taylor

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,' " approved March seventh, one thousand eight hundred and ninety-three,

Was taken up, read a second time, considered by sections, agreed to, ordered to be reprinted, and to have a third reading.

Mr. Pearce, Chairman of the Committee on Towns and Townships, reported

Senate Bill No. 187, entitled "A further supplement to an act entitled 'An act concerning townships (Revision of 1899),'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Senate Bill No. 215, entitled "An act to amend an act entitled 'An act to prevent trespassing with guns,'" approved March fourteenth, eighteen hundred and ninety-five,

Senate Bill No. 226, entitled "A further supplement to an act entitled 'An act respecting constables,'"

Favorably, without amendment.

Mr. Heck asked that

Assembly Bill No. 393, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),'"

Be withdrawn from the files of the House, which request was granted.

Mr. Elvins, Chairman of the Committee on Printed Bills, reported

Assembly Bill No. 295, entitled "An act to amend an act entitled 'An act concerning building and loan associations,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 385, entitled "An act providing for the recording of votes and actions of governing bodies in all towns of this state,"

Correctly printed.

On motion of Mr. Lehlbach,

Assembly Joint Resolution No. 2, entitled "Joint resolution to promote the equalization of taxes,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, John-

stone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Williver, Wilson, Wright—53.

In the negative were—

Messrs. Alexander, Boucher—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Barber,

Senate Bill No. 187, entitled "A further supplement to an act entitled 'An act concerning townships (Revision of 1899),'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. De Cou,

Senate Bill No. 226, entitled "A further supplement to an act entitled 'An act respecting constables,'"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Wright,

Senate Bill No. 215, entitled "An act to amend an act entitled 'An act to prevent trespassing with guns,'" approved March fourteenth, eighteen hundred and ninety-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed and to have a third reading.

On motion of Mr. Barber,

Senate Bill No. 52, entitled "An act concerning free public libraries in all cities, boroughs, towns, townships and villages of this state (Revision of 1905),"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Hamill, Heck,

Henry F. C., Henry G. C., Hildreth Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the peaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lehlbach,

Assembly Bill No. 305, entitled "An act to provide for the better security of life and limb in buildings,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse Hunt, Johnstone, Jones, Kaiser, Lange Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—52.

In the negative were—

Messrs. Manners, Wilson—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Gibbs,

Assembly Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Birkholz, Boucher, Dalrymple, Gibbs, Hamill, Hoagland, Johnstone, Jones, Lange, Loveridge, Mabie, Manners, Martin, Mills, Pennington, Perkins—19.

In the negative were—

Messrs. Barber, Buck, Coyne, De Cou, Elvins, Heck, Henry F. C, Henry G. C., Hildreth, Hulse, Hunt, Kaiser, Layden, Lehlbach, Marelli, Miller, Pearce Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—31.

The Speaker thereupon declared the bill lost.

On motion of Mr. Alexander,

Assembly Bill No. 344, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative were—

Messrs. Buck, Gibbs, Miller—3.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Duffield,

Assembly Bill No. 166, entitled "An act to further amend an act entitled 'A supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five,'" which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative was—

Mr. Hunt—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Fordyce,

Assembly Bill No. 266, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners,

Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Buck, Chairman of the Committee on Public Health, reported

Assembly Bill No. 196, entitled "A supplement to an act entitled 'An act respecting conveyances (Revision of 1898),'" approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

Mr. Dalrymple, Chairman of the Committee on Corporations, reported

Senate Bill No. 109, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" approved April ninth, one thousand eight hundred and seventy-five,

Favorably, without amendment.

On motion of Mr. Taylor,

Assembly Bill No. 321, entitled "A supplement to an act entitled 'An act respecting conveyances' (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lavden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 56, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary, and the orphans' court and surrogates'" (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 200, entitled "An act to amend section seventy-eight of an act relating to courts having criminal jurisdiction, and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Favorably, without amendment.

On motion of Mr. Dalrymple,

Assembly Bill No. 400, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—55.

In the negative were—

Messrs. Colby, Henry G. C., Manners, Taylor—4.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of

Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Murphy,

Assembly Bill No. 177, entitled "An act to secure the payment of laborers, mechanics and other persons employed upon or furnishing materials toward the maintenance of any water-works owned or controlled by municipalities of this state,"

Was taken up, and under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Perkins,

Assembly Bill No. 388, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy,

Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Senate amendments to

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment for water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 312, entitled "An act to authorize cities to provide for the payment of water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities,"

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

Upon which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 244, entitled "A further supplement to an act entitled 'An act for the incorporation of cities, and providing for their officers, government and powers,'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

Upon which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads,'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 46, entitled "An act to amend an act entitled 'An act concerning roads'" (Revision of 1874), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

Upon which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 261, entitled "Supplement to an act entitled 'An act relating to, regulating and providing for the government of cities,'" which act was approved April eighth, one thousand nine hundred and three,

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

Upon which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Mr. Birkholz, Chairman of the Committee on Banks and Insurance, reported

Senate Bill No. 235, entitled "A further supplement to an act entitled 'An act concerning building and loan associations,' approved April eighth, A. D. one thousand nine hundred and three," which supplement was approved March seventh, one thousand nine hundred and four,

Favorably, without amendment.

On motion of Mr. Baker,

Senate Bill No. 235, entitled "A further supplement to an act entitled 'An act concerning building and loan associations,' approved April eighth, A. D. one thousand nine hundred and three," which supplement was approved March seventh, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 196, entitled "An act to authorize an annual conference of state and local health officers, sanitary inspectors and delegates from local boards of health,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Heck,

Senate Bill No. 109, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,'" approved April ninth, one thousand eight hundred and seventy-five,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Mabie,

Senate Bill No. 56, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary, and the orphans' court and surrogates'" (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Marelli

Senate Bill No. 200, entitled "An act to amend section seventy-eight of an act relating to courts having criminal jurisdiction, and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Scovel,

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was put on third reading and final passage.

On motion of Mr. Scovel,

Senate Bill No. 230, entitled "A further supplement to an act entitled 'An act for the punishment of crimes'" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis. (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Scovel,

Senate Bill No. 234, entitled "An act appointing three commissioners on the part of the state of New Jersey to confer with three commissioners to be appointed on the part of the state of Delaware, in accordance with the provisions of the compact between the states of New Jersey and Delaware respecting the Delaware river and bay, defining their duties and powers, and appropriating money to pay the necessary expenses thereof,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Robbins,

Senate Bill No. 127, entitled "An amendment to an act entitled 'A supplement to an act entitled "An act concerning idiots and lunatics," approved March twenty-seventh, one thousand eight hundred and seventy-four,'" which supplement was approved March fifteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Elvins,

Senate Bill No. 244, entitled "An act to change the name of Francis Xavier Krupp,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Reed,

Senate Bill No. 196, entitled "An act to authorize an annual conference of state and local health officers, sanitary inspectors and delegates from local boards of health,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Baker, Birkholz, De Cou, Fordyce, Gibbs, Henry G. C., Layden, Marelli, Martin, Mattheus, Mills, Pearce, Perkins, Robbins, Scott, Scovel, Shaw, Shedaker, Van Derveer, Willever, Wright—21.

In the negative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Buck, Callery, Colby, Coyne, Duff, Elvins, Ernst, Gallagher, Heck, Hildreth, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Lehlbach, Loveridge, Mabie, Manners, Murphy, Pennington, Reed, Riordan, Taylor, Tillman, Wilson —31.

The Speaker thereupon declared the bill lost.

On motion of Mr. Scovel,

Senate Bill No. 178, entitled "An act providing for the appointment of clerks to recorders in certain cities of the second class in this state and defining their duties,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Ernst, Fordyce, Gallagher, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Layden, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wright—50.

In the negative was—

Mr. Gibbs—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Hildreth, Chairman of the Committee on Miscellaneous Business, reported

Senate Bill No. 92, entitled "An act to regulate the practice of osteopathy in the state of New Jersey and to provide for a state board of osteopathic examiners and to license osteopathic physicians to practice in this state, and punish persons violating the provisions of this act,"

Favorably, without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations reported

Senate Bill No. 239, entitled "An act to amend an act entitled 'An act relating to newly created municipalities,' " approved April twenty-fourth, eighteen hundred and ninety-eight,

Favorably, without amendment.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 30th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Senate Bill No. 243, "An act fixing the compensation of comptrollers in cities of this State,"

Senate Bill No. 246, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,' " approved April fifth, one thousand nine hundred and four,

Senate Bill No. 247, entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and six,"

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

The Senate message was then taken up, and

Senate Bill No. 243, entitled "An act fixing the compensation of comptrollers in cities of this State,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Senate Bill No. 246, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

Senate Bill No. 247, entitled "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and six,"

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Appropriations.

On motion of Mr. Duffield,

The House resolved itself into a committee of the whole.

After the committee of the whole arose, the House reconvened.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

Absent—None.

On motion of Mr. Loveridge,

Assembly Bill No. 385, entitled "An act providing for the recording of votes and actions of governing bodies in all towns of this state,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

On motion of Mr. Hulse,

Senate Bill No. 71, entitled "An act to amend an act entitled 'An amendment to an act entitled "An act for the punishment of crimes,'" approved June the fourteenth, eighteen hundred and ninety-eight (Revision of 1898)," approved March twenty-second, one thousand nine hundred and one,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—57.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Robbins, Chairman of the Committee on Appropriations, reported

Senate Bill No. 246, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four,

Senate Bill No. 247, entitled "An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and six,"

Favorably, without amendment.

On motion of Mr. Robbins,

Senate Bill No. 246, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Senate Bill No. 246, entitled "A supplement to an act entitled 'An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five,'" approved April fifth, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

On motion of Mr. Robbins,

Senate Bill No. 247, entitled "An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and six,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Robbins,

Senate Bill No. 247, entitled "An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and six,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Willever, Wilson, Wright—47.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

On motion of Mr. Robbins,

Senate Bill No. 241, entitled "An act to amend an act entitled 'An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college,'" passed March thirty-first, one thousand eight hundred and ninety,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following votes:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Dalrymple,

Senate Bill No. 205, entitled "An act authorizing the appointment in counties of the first class in this state of an interpreter of the Polish and Russian languages to the court of common pleas, circuit court, orphans' court, court of general quarter sessions of the peace, court of special sessions, and the public offices connected therewith, and fixing the salary of such interpreter,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—57.

In the negative was—

Mr. Mills—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hulse,

Senate Bill No. 226, entitled "A further supplement to an act entitled 'An act respecting constables,'"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Baker, Barber, Birkholz, Boucher, De Cou, Duff, Heck, Jones, Miller, Taylor, Van Derveer—11.

In the negative were—

Messrs. Alexander, Buck, Coyne, Dalrymple, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Hoagland, Hunt, Johnstone, Lange, Layden, Lehlbach, Loveridge, Manners, Marelli, Martin, Mills, Murphy, Pennington, Reed, Riordan, Robbins, Scovel, Shedaker, Tillman, Wildrick, Wilson, Wright—31.

The Speaker thereupon declared the bill lost.

On motion of Mr. Heck,

Senate Bill No. 9, entitled "An act to amend an act entitled 'An act concerning corporations (Revision of 1896),'" approved April twenty-first, one thousand eight hundred and ninety-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Lange,

Senate Bill No. 217, entitled "An act to repeal an act entitled 'An act to provide for payment of improvement certificates issued by, or on behalf of, for, or on behalf, such municipalities where assessments have not been collected, or where there is not sufficient of said assessment available to pay said certificates,'" approved April eighth, one thousand nine hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Boucher, Callery, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hoagland, Hulse, Hunt, Johnstone, Lange, Loveridge, Mabie, Marelli, Martin, Mattheus, Mills, Murphy, Pearce, Perkins, Reed, Riordan, Robbins, Scovel, Shaw, Shedaker, Taylor, Van Derveer, Willever, Wright—41.

In the negative were—

Messrs. Barber, Gallagher, Hildreth, Kaiser, Lehlbach, Manners, Miller, Tillman, Wildrick—9.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Senate Bill No. 243, entitled "An act fixing the compensation of comptrollers in cities of this state,"

Favorably, without amendment.

Mr. Duffield moved that the House be placed under call,

Which motion was carried.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy,

Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

Absent—None.

On motion of Mr. Lehlbach,

Senate Bill No. 100, entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,'" approved April fourteenth, nineteen hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Barber, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Langé, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Sovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Mr. Robbins moved that the rules be suspended, and that the vote by which

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three.

Was advanced to third reading be reonsidered, and that

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Be placed back on second reading for the purpose of amendment,

Which motion was carried.

On motion of Mr. Robbins,

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three.

Was taken up, read a second time, and the following amendment, proposed by Mr. Robbins,

Was read and adopted:

Amend section two, line thirteen, by adding after the word "townships" the words "provided, however, that any municipality may exceed such limited tax rate whenever the governing body of such municipality shall by resolution adopt a higher rate, and the same shall be approved by a majority of the legal voters of such municipality at the general election next preceding the fixing of such tax rate.

On motion of Mr. Robbins,

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

As amended,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

Mr. Robbins moved that

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Be placed on third reading and final passage,

Which motion was carried.

On motion of Mr. Robbins,

Senate Bill No. 44, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

With Assembly amendments,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Buck, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Heck, Henry F. C., Henry G. C., Hildreth, Hoag-

land, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wright—44.

In the negative were—

Messrs. Alexander, Birkholz, Boucher, Callery, Colby, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wilson—14.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same with amendment.

Mr. Scovel, Chairman of the Committee on Municipal Corporations, reported

Committee substitute for

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Favorably, without amendment.

On motion of Mr. Martin,

Senate Joint Resolution No. 6, entitled "Joint resolution authorizing the appointment of a commission to report on a necessity or advisability of revising or codifying the poor laws,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 30th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

With Senate amendments,

In which the concurrence of the House of Assembly is requested.

HOWARD L. TYLER,
Secretary of the Senate.

Senate amendments to

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

Were taken up on second reading, and the Speaker put the question, "Shall the Senate Amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 401, entitled "An act to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five,"

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

Upon which question the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy,

Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

On motion of Mr. Duffield,

The House then resolved itself into a committee of the whole.

After the committee of the whole arose, the House reconvened.

Upon calling the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

Absent—None.

On motion of Mr. Duffield, the House then took a recess of five minutes.

The House reconvened.

Upon the calling of the roll, the following gentlemen appeared and answered to their names:

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

Absent—

Messrs. Callery, Gallagher, Heck, Hunt, Mattheus—5.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 30, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Honorable Joseph Cross, of the county of Union, has resigned as President of the Senate, and that the Senate has unanimously elected William J. Bradley, of the county of Camden, as President.

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Duffield offered the following report, which was read by the Clerk and unanimously adopted by the House:

The committee appointed to conduct the investigation on the part of the Committee of the Whole recommend the adoption of the following resolution:

WHEREAS, No evidence has been produced before the Committee of the Whole to in any way substantiate the charges made by the Trenton True American of bribery in connection with the passage of Assembly Bill No. 239; and

WHEREAS, It is apparent that, owing to the inability of the committee to punish witnesses refusing to answer inquiries for contempt, it will, in the opinion of the committee, be impossible to procure any further or additional information in connection with said charges; and

WHEREAS, If said charges have any substance in fact, the Grand Jury of this county has full power of investigation; therefore, be it

Resolved, That no further action be taken by the House in the premises; and be it further

Resolved, That a copy of the record of these proceedings be forwarded to the Prosecutor of the Pleas of Mercer county, with the request to lay the same before the next Grand Jury in this county.

Mr. Duffield moved that the Clerk be instructed to furnish the Prosecutor of the Pleas of Mercer county with a copy of the testimony of the witnesses who appeared before the Committee of Investigation on the charges of bribery made by the Trenton True American in connection with the passage of Assembly Bill No. 239.

On motion of Mr. Dalrymple,

Assembly Bill No. 307, entitled "An act to amend an act entitled "An act providing for the pensioning of school teachers in this state,' " approved March fifth, nineteen hundred and three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 30, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

With Senate amendments,

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,' " approved February fifteenth, one thousand nine hundred and five.

With Senate amendments,

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages and other instruments,"

With Senate amendments,

In which the concurrence of the House of Assembly is requested.

Second Committee Substitute for

Assembly Bill No. 148, entitled "An act relating to corporations,"

Assembly Bill No. 278, entitled "An act concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein,"

Assembly Bill No. 400, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Assembly Bill No. 371, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 386, entitled "An act to authorize the board of fish and game commissioners to coöperate with the department of fisheries of the commonwealth of Pennsylvania, in the propagation of shad, and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose,"

Assembly Bill No. 392, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,'" approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 399, entitled "An act to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield,"

Assembly Bill No. 403, entitled "An act to change the name of Jennie Paullin Jaggers,"

And that the Senate declined to concur in Assembly Substitute for Senate Joint Resolution No. 5, and said Senate Joint Resolu-

tion No. 5, with said Assembly Substitute, is, by direction of the Senate, returned herewith to the House of Assembly.

Also, that the Senate declined to concur in Assembly amendments to Senate Committee Substitute for Assembly Bill No. 34, and said Committee Substitute, with said amendments, is hereby, by direction of the Senate, returned to the House of Assembly.

HOWARD L. TYLER,
Secretary of the Senate.

On motion of Mr. Hoagland,

Assembly Bill No. 207, entitled "An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein justices of the peace in place of justices of the peace whose terms expire on the first day of May, one thousand nine hundred and five,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Duffield, Chairman of the Committee on Judiciary, reported

Senate Bill No. 170, entitled "An act to amend an act entitled 'An act directing the descent of real estates,' " approved April sixteenth, one thousand eight hundred and forty-seven,

Favorably, without amendment.

On motion of Mr. Hoagland,

Assembly Bill No. 269, entitled "An act to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents, being liens upon land and sales therefor,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative was—

Mr. Gibbs—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Colby offered the following resolution, which was read and adopted:

Resolved, That the Speaker appoint a committee of three members of this House to investigate the rules and regulations enforced by the Legislatures of other States affecting the privileges of lobbyists; said committee to investigate, if any, the rules of the State House Commission of New Jersey with relation to admission of lobbyists to the capitol, and all matters pertaining thereto, and to submit their report to the Governor, together with any recommendations they may deem proper to make.

On motion of Mr. Hamill,

Senate Bill No. 190, entitled "A further supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and

to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same, and requests its concurrence therein.

Mr. Hamill moved to relieve the Committee on Judiciary of further consideration of

Assembly Bill No. 328, entitled "An act to amend an act entitled 'An act to revise and amend an act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, which act of revision and amendment was approved March twenty-seventh, one thousand eight hundred and eighty-eight,"

Mr. Duffield moved that the motion lay on the table,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—44.

In the negative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

The Speaker thereupon declared the motion carried.

Mr. Hamill moved to relieve the Committee on Judiciary of further consideration of

Assembly Bill No. 188, entitled "A supplement to an act entitled 'An act relating to information in the nature of a quo warranto (Revision of 1903),'" approved April eighth, nineteen hundred and three.

Mr. Duffield moved that the motion lay on the table,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—44.

In the negative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

The Speaker thereupon declared the motion carried.

Mr. Hamill moved to relieve the Committee on Judiciary of further consideration of

Assembly Bill No. 189, entitled "An act to revise and amend an act entitled 'An act for the taxation of all property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto,'" which act was approved March twenty-third, nineteen hundred, and the supplements and amendments thereto,

Mr. Duffield moved that the motion lay on the table,

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Avis (Speaker), Baker, Barber, Birkholz, Buck, Colby, Coyne, Dalrymple, De Cou, Duffield, Elvins, Fordyce, Gallagher, Gibbs, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Mabie, Manners, Marelli, Martin, Miller, Mills, Pearce, Pennington, Perkins, Reed, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wilson, Wright—44.

In the negative were—

Messrs. Alexander, Boucher, Callery, Duff, Ernst, Hamill, Lange, Loveridge, Mattheus, Murphy, Riordan, Wildrick, Willever—13.

The Speaker thereupon declared the motion carried.

On motion of Mr. Alexander,

Senate Bill No. 213, entitled "An act concerning the selecting, drawing and summoning of grand and petit jurors,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Buck, Callery, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Sehdaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—54.

In the negative was—

Mr. Birkholz—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Barber,

Committee substitute for

Assembly Bill No. 257, entitled "An act to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Baker, Barber, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Gallagher, Gibbs, Hamill, Henry G. C., Hulse, Jones, Lange, Loveridge, Mills, Reed, Robbins, Scott, Shedaker, Tillman, Wright —27.

In the negative were—

Messrs. Alexander, Avis (Speaker), Birkholz, Boucher, Fordyce, Hildreth, Hoagland, Hunt, Manners, Marelli, Martin, Murphy, Pearce, Shaw, Taylor, Van Derveer, Wildrick, Willever—18.

The Speaker thereupon declared the bill lost.

On motion of Mr. Pearce,

Senate Bill No. 243, entitled "An act fixing the compensation of comptrollers in cities of this State,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Pearce,

Senate Bill No. 243, entitled "An act fixing the compensation of comptrollers in cities of this State,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Johnstone, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Martin, Mat-

theus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever—52.

In the negative were—

Messrs. Hunt, Jones—2.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

Senate amendments to

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,'" approved February fifteenth, one thousand nine hundred and five,

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 379, entitled "An act to amend an act entitled 'An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state,'" approved February fifteenth, one thousand nine hundred and five.

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages, and other instruments,"

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 41, entitled "An act respecting the recording of deeds, mortgages, conditional bills of sale, chattel mortgages and other instruments,"

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

The Speaker thereupon declared the amendments concurred in.

Senate amendments to

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,' " approved March twenty-seventh, eighteen hundred and seventy-four,

Were taken up on second reading, and the Speaker put the question, "Shall the Senate amendments have a third reading?"

Which was agreed to.

Senate amendments to

Assembly Bill No. 263, entitled "A further supplement to an act entitled 'An act concerning landlords and tenants,'" approved March twenty-seventh, eighteen hundred and seventy-four,

Were taken up on third reading, and the Speaker put the question, "Shall the Senate amendments be concurred in?"

On which motion the ayes and nays were called, with the following result:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

The Speaker thereupon declared the amendments concurred in.

On motion of Mr. Mabie,

Senate Bill No. 244, entitled "An act to change the name of Francis Xavier Krupp,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative was—

Mr. Lange—1.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Mabie,

Senate Bill No. 57, entitled "An act to repeal sundry acts concerning executors, and administration of intestates' estates,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Mabie,

Senate Bill No. 55, entitled "An act to repeal the sundry acts respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Taylor

Senate Bill No. 190, entitled "A further supplement to an act entitled 'An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment,'" passed March thirtieth, one thousand eight hundred and eighty-six,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Taylor

Senate Bill No. 31, entitled "An act to amend an act entitled 'An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class,'" approved March seventh, one thousand eight hundred and ninety-three,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser,

Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Ernst,

Senate Bill No. 235, entitled "A further supplement to an act entitled 'An act concerning building and loan associations.' approved April eighth, A. D. one thousand nine hundred and three," which supplement was approved March seventh, one thousand nine hundred and four,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment,

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That no further bills be considered, except by unanimous consent.

Mr. Buck, Chairman of the Committee on Public Health, reported

Senate Bill No. 191, entitled "A further supplement to an act entitled 'An act to secure purity of foods, beverakes, confec-

tionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Favorably, without amendment.

On motion of Mr. Hulse,

Senate Bill No. 187, entitled "A further supplement to an act entitled 'An act concerning townships (Revision of 1899),'" approved March twenty-fourth, one thousand eight hundred and ninety-nine,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Marelli, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—56.

In the negative were—

Messrs. Manners, Martin.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Reed,

Senate Bill No. 238, entitled "An act to amend an act entitled 'An act to regulate elections,'" approved April fourth, eighteen hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser,

Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Mabie,

Senate Bill No. 56, entitled "An act to amend an act entitled 'An act respecting the orphans' court, and relating to the powers and duties of the ordinary, and the orphans' court and surrogates'" (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Reed,

Senate Bill No. 239, entitled "An act to amend an act entitled 'An act relating to newly created municipalities,'" approved April twenty-fourth, eighteen hundred and ninety-eight,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hulse,

Senate Bill No. 191, entitled "A further supplement to an act entitled 'An act to secure purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Reed,

Senate Bill No. 239, entitled "An act to amend an act entitled 'An act relating to newly created municipalities,'" approved April twenty-fourth, eighteen hundred and ninety-eight,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hulse,

Senate Bill No. 191, entitled "A further supplement to an act entitled 'An act to secure purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof,'" approved March twenty-first, one thousand nine hundred and one,

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Galla-

gher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—58.

In the negative—None.

Ordered that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On motion of Mr. Hamill,

Senate Committee Substitute for

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Was taken up, read a second time, considered by sections, agreed to, ordered to be printed, and to have a third reading.

On motion of Mr. Hamill,

Senate Committee Substitute for

Assembly Bill No. 85, entitled "An act authorizing the counties of this state to renew matured and maturing bonds,"

Was taken up, and, under suspension of the rules, was read a third time by its title, and passed by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

On Motion of Mr. Perkins

Senate Bill No. 170, entitled "An act to amend an act entitled 'An act directing the descent of real estates,' " approved April sixteenth, one thousand eight hundred and forty-seven,

Was taken up, and, under suspension of the rules, was read a third time by its title, and lost by the following vote:

In the affirmative were—

Messrs. Alexander, Avis (Speaker), Baker, Barber, Birkholz, Boucher, Buck, Callery, Colby, Coyne, Dalrymple, De Cou, Duff, Duffield, Elvins, Ernst, Fordyce, Gallagher, Gibbs, Hamill, Heck, Henry F. C., Henry G. C., Hildreth, Hoagland, Hulse, Hunt, Johnstone, Jones, Kaiser, Lange, Layden, Lehlbach, Loveridge, Mabie, Manners, Marelli, Martin, Mattheus, Miller, Mills, Murphy, Pearce, Pennington, Perkins, Reed, Riordan, Robbins, Scott, Scovel, Shaw, Shedaker, Taylor, Tillman, Van Derveer, Wildrick, Willever, Wilson, Wright—59.

In the negative—None.

Ordered, that the Speaker sign the said bill, and that the Clerk carry it to the Senate and inform the Senate that the House of Assembly has passed the same without amendment.

The Speaker announced that, in conformity with the provisions of the resolution offered by Mr. Colby, and adopted by the House relative to investigating the rules and regulations affecting the privileges of lobbyists, he had appointed Mr. Colby, of Essex, Mr. Robbins, of Burlington, and Mr. Alexander, of Hudson.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
March 30th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following bills:

Assembly Joint Resolution No. 2, to promote the equalization of taxes,

Assembly Bill No. 33, entitled "A supplement to 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 79, entitled "Supplement to the act entitled 'An act providing for divorces and for decrees of nullity of marriage and for alimony and the maintenance of children,'" approved April third, one thousand nine hundred and two,

Assembly Bill No. 110, entitled "A further supplement to an act entitled 'An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption,'" approved March fourteenth, one thousand eight hundred and eighty,

Assembly Bill No. 112, entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers,"' approved March twenty-third, one thousand nine hundred," which supplement was approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 265, entitled "A further supplement to an act entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),'"

Assembly Bill No. 302, entitled "An act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures,'" approved April eighth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 303, entitled "A further supplement to an act entitled 'An act to regulate elections (Revision of 1898),'" approved April fourth, one thousand eight hundred and ninety-eight,

Assembly Bill No. 304, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 306, entitled "An act to amend an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,'" approved October nineteenth, one thousand nine hundred and three,

Assembly Bill No. 332, entitled "A supplement to an act entitled 'A supplement to an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine,' approved March twenty-fourth, eighteen hundred and ninety-nine, which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines: Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning,

Assembly Bill No. 346, entitled "An act concerning turnpikes and to regulate the toll for automobiles and other motor vehicles on the same,"

Assembly Bill No. 361, entitled "An act to amend an act entitled 'An act relating to, regulating and providing for the government of cities,' which act was approved April eighth, one thousand nine hundred and three,"

Assembly Bill No. 363, entitled "An act to amend an act entitled 'An act concerning minors, their adoption, custody and maintenance (Revision of 1902),'"

Assembly Bill No. 83, entitled "An act to repeal an act entitled 'An act to amend an act entitled "An act authorizing the incorporated cities, towns, townships and boroughs of this state to fund their floating indebtedness and their matured and maturing bonds," approved March twenty-third, one thousand eight hundred and ninety-nine, and to extend the provisions of said act to claims for county taxes,'" approved March twenty-ninth, one thousand nine hundred and four,

Assembly Bill No. 129, entitled "A supplement to an act entitled 'An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same,' approved June thirteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 242, entitled "A supplement to an act entitled 'An act to authorize the issue of bonds for building public bridges in second class counties,' approved March twenty-first, one thousand eight hundred and ninety-five,"

Assembly Bill No. 267, entitled "An act to establish a parole agent for the state prison,"

Assembly Bill No. 273, entitled "A further supplement to an act entitled 'An act relative to the supreme and circuit courts' (Revision of 1900), approved March twenty-third, one thousand nine hundred,"

Assembly Bill No. 309, entitled "An act to amend an act entitled 'An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor,' approved April ninth, one thousand nine hundred and two,"

Assembly Bill No. 390, entitled "An act to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey,"

And

Assembly Bill No. 396, entitled "An act to provide for the appointment of a commission to revise and codify the law relating to master and servant,"

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of the House be and are hereby tendered to the publishers of the *Daily State Gazette* and the *Daily True American,* both of Trenton, for the papers served to the individual members during this session

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of the House of Assembly are hereby extended to Hon. John W. Weseman, Custodian of the State House, and his assistants, for the manner in which he has provided for the wants and comfort of the members of the House during this session.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of the House of Assembly be and are hereby extended to the newspaper correspondents for the uniform fairness with which they have treated the members of the House.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of the House be and are hereby extended to William Meseroll, Assistant Custodian, for the efficient and courteous manner in which he has attended to the wants of the House during this season.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of this House be and are hereby extended to Charles R. Robinson, Document Clerk, for the efficient and courteous manner in which he has attended to the wants of the House during this session.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of the House of Assembly be tendered MacCrellish & Quigley for the prompt and satisfactory manner in which the current printing for this session has been performed, and for their accuracy and the intelligent manner in which their work has been done.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of this House be and the same are hereby extended to the pages, doorkeepers and other attaches of this House for their untiring efforts to please the members.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the chairmen of the standing committees be requested to hand all bills not acted upon to the Clerk of the House.

A message was received from the Senate, by the hands of its Secretary, as follows:

STATE OF NEW JERSEY,
SENATE CHAMBER,
MARCH 30th, 1905.

Mr. Speaker:

I am directed by the Senate to inform the House of Assembly that the Senate has passed the following resolution:

Resolved, That the hour of adjournment having arrived, the Secretary inform the House of Assembly that the Senate is now ready to adjourn *sine die,* and awaits the presence of the House of Assembly.

HOWARD L. TYLER,
Secretary of the Senate.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of this House be and are hereby extended to James Parker, clerk; Upton S. Jeffreys, assistant clerk; Robert S. Terhune, journal clerk; Howard B. Keasby, assistant journal clerk; Robert J. Cresswell, assistant to journal clerk; George A. Grover, supervisor of bills; Harry A. Gittone, A. Lincoln Scowcrodt and Seymour H. Francis, assistant supervisors of bills; George B. Lutts, sergeant-at-arms; Edward Totten, bill clerk, and their assistants, for the efficient and faithful manner in which they have attended to the wants of the House during this session.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the thanks of the House be and the same are hereby tendered to the Hon. James A. Hamill for his honest, able and courteous conduct as leader of the minority during the present session. To him we would extend the warmest expression of respect and esteem.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the members of the House do hereby express their appreciation of the gentlemanly, fair and uniformly kind treatment received by them at the hands of Mr. William H. Albright, the Speaker's private secretary, and Mr. Henry Bodine, the Speaker's assistant private secretary.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the sergeant-at-arms be directed to make an immediate accounting of all stationery, books and other articles in his own possession and in the possession of the various officers and committees of the House and turn the same over to the comptroller; taking his receipt therefor, and the comptroller is hereby directed to retain the same for the use of the next Legislature.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That a committee of three be appointed to wait upon the Governor and inform him that the House is ready to adjourn *sine die,* and ascertain if he has any further communication to transmit to the House.

The Speaker appointed as a committee to wait upon the Governor Messrs. Duffield, Hamill and Perkins, and inform him that the House is ready to adjourn *sine die.*

Mr. Hamill offered the following resolution, which was read and adopted:

Resolved, That the thanks of the minority members of this House be extended Majority Leader Duffield for his eminently fair and courteous treatment evidenced at all times during this session.

The committee appointed to wait upon the Governor presented the following message:

EXECUTIVE DEPARTMENT,
TRENTON, March 30th, 1905.

To the Speaker and Members of the House of Assembly:

I desire to express to you my sincere appreciation of the uniform courtesy that I have received at your hands during the present session of the Legislature. Many important measures, which will serve the best interests of the State, crown your Legislative labors.

In these closing hours I extend my best wishes for your personal success and prosperity.

E. C. STOKES.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved, That the index of the minutes of the Assembly for the present session be prepared by James Parker, clerk of the House of Assembly, in the same manner as the index of the minutes of last year, and that he be paid therefor the sum of one hundred and fifty dollars.

Mr. Duffield offered the following resolution, which was read and adopted:

Resolved That this House express to the Hon. John Boyd Avis, its Speaker, the appreciation it has for him because of the fair, courteous and impartial manner in which he has presided over

and guided its deliberations. By his honorable desire for prompt dispatch of business, attention to the welfare of the State and recognition of majority and minority alike, he has won the lasting regard of each and every member.

The following letter was read by the clerk:

TRENTON, N. J., March 30th, 1905.

Hon. John Boyd Avis, Speaker of the House of Assembly:

DEAR SIR—As I understand there will be a final adjournment of the Legislature to-day, will you kindly request the members of the House of Assembly and all officers to return all keys immediately after adjournment to the sergeant-at-arms of the House of Assembly, or custodian, and oblige,

Yours truly,
JOHN W. WESEMAN,
Custodian.

The Speaker thereupon announced that the hour fixed upon for the final adjournment of both Houses of the one hundred and twenty-ninth (129th) Legislature had arrived, and he declared the house of Assembly adjourned without day.

The members of the House of Assembly, preceded by the Speaker and the Clerk, then proceeded to the Senate Chamber, and after the announcement by the Speaker that, in accordance with his duties, he had adjourned the House of Assembly without day, the President of the Senate declared the one hundred and twenty-ninth Legislature adjourned *sine die*.

JAMES PARKER,
Clerk of the House of Assembly.

ROBERT S. TERHUNE,
Journal Clerk.

ADDENDA.

The following bills, having failed to become laws and remaining in the possession of the Clerk of the House of Assembly, were delivered by him to the State Librarian for safe keeping:

Assembly Bill No. 4, entitled "An act concerning the construction of dams,"

Assembly Bill No. 5, entitled "An act to prohibit the sale, by any person or persons, corporation or corporations, of any potable water from any river or strean, or other fresh water body within this state, to any person or persons, corporation or corporations of any kind without the bounds of the state of New Jersey,"

Assembly Bill No. 34, entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state,"

Assembly Bill No. 45, entitled "An act to regulate the pay of officers and employes of paid fire departments in cities of the first class in this state,"

Assembly Bill No. 54, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and to provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 62, entitled "An act concerning the granting of licenses to inns and taverns and saloons, and for the wholesale or retail sale of vinous, spirituous, malt and brewed liquors in villages of this state,"

Assembly Bill No. 68, entitled "A supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, one thousand nine hundred and three,

Assembly Bill No. 72, entitled "An act to amend an act entitled 'A supplement to the act entitled "An act concerning townships (Revision, 1899),"' " approved February twenty-sixth, one thousand nine hundred and three,

Assembly Bill No. 88, entitled "A further supplement to an act entitled 'An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals,' " approved April third, one thousand eight hundred and sixty-eight,

Assembly Bill No. 106, entitled "A supplement to an act entitled 'An act establishing a court for the trial of juvenile offenders and defining its duties and powers,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 113, entitled "An act providing for the pensioning of policemen, their widows, orphans or dependent parents,"

Assembly Bill No. 126, entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three,"

Assembly Bill No. 138, entitled "An act to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature,"

Assembly Bill No. 140, entitled "An act to repeal 'An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water,' " approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto,

Assembly Bill No. 155, entitled "An act to amend an act entitled 'An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families,' approved April twenty-fourth, one thousand nine hundred and two,"

Assembly Bill No. 160, entitled "An act to enable water companies to secure a sufficient water-supply,"

Assembly Bill No. 176, entitled "An act to amend an act entitled 'An act to establish public parks in certain counties of this state, and to regulate the same,' " approved May sixth, nineteen hundred and two,

Assembly Bill No. 180, entitled "An act authorizing the sinking fund commissioners of certain municipalities in this state to cancel the municipal bonds of such municipalities held by them,"

Assembly Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Assembly Bill No. 207, entitled "An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein justices of the peacse in place of justices of the peace whose terms expire on the first day of May, one thousand nine hundred and five,"

Assembly Bill No. 213, entitled "Supplement to an act entitled 'An act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this state,' " approved April fourth, one thousand nine hundred and two,

Assembly Bill No. 219, entitled "An act providing for the annual audit of the finances of municipalities,"

Assembly Bill No. 241, entitled "An act to amend an act entitled 'An act constituting courts for the trial of small causes (Revision of 1903),' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 250, entitled "An act creating a commission to investigate the condition of certain marshes in the vicinity of Arthur Kill and Newark Meadows, as affecting the public health, or the property values and other interests of the city of Newark, Arthur Kills and Newark Meadows,"

Assembly Bill No. 257, entitled "An act to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class,"

Assembly Bill No. 269, entitled "An act to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents, being liens upon land and sales therefor,"

Assembly Bill No. 270, entitled "An act for the sale in fee of land purchased by any taxing district for taxes, assessments or water rents (Revision of 1905),"

Assembly Bill No. 275, entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors,"

Assembly Bill No. 276, entitled "A supplement to an act entitled 'A general act relating to boroughs' (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven,"

Assembly Bill No. 281, entitled "An act to amend an act entitled 'An act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipality and to extend roads to connect with such viaduct and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof,' " approved March twenty-eighth, nineteen hundred and four,

Assembly Bill No. 282, entitled "An act to provide for the purchase of voting machines, and to regulate the use of the same at elections,"

Assembly Bill No. 288, entitled "An act to provide for the purchase of a site for and the erection and equipment of a state arsenal in the city of Trenton, and making an appropriation therefor, and to provide for the taking of real estate for such site by condemnation in case the same cannot be purchased by agreement,"

Assembly Bill No. 289, entitled "An act to provide for the use of lands now occupied by the state arsenal at Trenton, for the purpose of enlarging the state prison,"

Assembly Bill No. 292, entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof,' " approved March twenty-third, one thousand nine hundred and three,

Assembly Bill No. 295, entitled "An act to amend an act entitled 'An act concerning building and loan associations,' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 296, entitled "A supplement to an act establishing a court for the trial of juvenile offenders, and defining its duties and powers," approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 307, entitled "An act to amend an act entitled 'An act providing for the pensioning of school teachers in this state,' " approved March fifth, nineteen hundred and three,

Assembly Bill No. 333, entitled "An act to amend an act entitled 'An act concerning district court fees" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,"

Assembly Bill No. 334, entitled "An act to amend an act entitled 'An act concerning disorderly persons' (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight,"

Assembly Bill No. 335, entitled "A further supplement to an act entitled 'An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties,' " approved March thirty-first, one thousand eight hundred and eighty-seven,

Assembly Bill No. 338, entitled "An act to repeal section eighty-one of an act entitled 'A further supplement to an act entitled "An act to provide for the incorporation and regulation of insurance companies," ' " approved April third, one thousand nine hundred and two,

Assembly Bill No. 345, entitled "An act to further amend a supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' " approved April eighth, one thousand nine hundred and three,

Assembly Bill No. 348, entitled "An act to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two,"

Assembly Bill No. 365, entitled "An act to amend an act entitled 'An act concerning disorderly persons (Revision of 1898),' approved June fourteenth, eighteen hundred and ninety-eight,"

Assembly Bill No. 393, entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision of 1898),' "

Assembly Bill No. 395, entitled "A supplement to an act entitled 'An act to amend the law relating to the property of married women (Revision),' approved March twenty-seventh, one thousand eight hundred and seventy-four,"

Senate Bill No. 17, entitled "An act to amend an act entitled 'An act concerning building and loan associations,' " approved April eighth, one thousand nine hundred and three,

Senate Bill No. 42, entitled "An act to consolidate with and annex to the city of Newark, in the county of Essex, the territory embraced within the bounds of the town of Bloomfield, in the county of Essex; provided, a majority of the votes cast in the said town upon the question of such annexation and consolidation shall be in favor thereof, and the mayor and common council of said city shall consent thereto,"

Senate Bill No. 45, entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,' " approved April first, one thousand nine hundred and three,

Senate Bill No. 68, entitled "An act to establish a state reformatory for women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses,"

Senate Bill No. 92, entitled "An act to regulate the practice of osteopathy in the state of New Jersey and to provide for a state board of osteopathic examiners and to license osteopathic physicians to practice in this state, and punish persons violating the provisions of this act,"

Senate Bill No. 101, entitled "A supplement to an act entitled 'An act for the assessment and collection of taxes,' " approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three,

Senate Bill No. 104, entitled "An act to amend the negotiable instrument law relative to the payment of forged checks,"

Senate Bill No. 109, entitled "Supplement to an act entitled 'An act to incorporate and regulate telegraph companies,' " approved April ninth, one thousand eight hundred and seventy-five,

Senate Bill No. 117, entitled "An act to amend an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),' " approved April fourteenth, A. D. one thousand nine hundred and three,

Senate Bill No. 118, entitled "A further supplement to an act entitled 'An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903),'" approved April fourteenth, one thousand nine hundred and three,

Senate Bill No. 162, entitled "An amendment to an act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898),"

Senate Bill No. 165, entitled "An act regulating the making of contracts in cities of the first class in this state, and the expending of money therein,"

Senate Bill No. 169, entitled "A further supplement to an act entitled 'An act relative to sales of land under a public statute, or by virtue of any judicial proceedings'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,

Senate Bill No. 175, entitled "An act to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey,"

Senate Bill No. 188, entitled "A further supplement to an act entitled 'An act respecting the compensation of the chancellor and the justices of the supreme court of this state,'" approved March fourteenth, one thousand eight hundred and seventy-nine,

Senate Bill No. 195, entitled "A supplement to an act entitled 'An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this state,'" approved April third, one thousand nine hundred and two,

Senate Bill No. 196, entitled "An act to authorize an annual conference of state and local health officers, sanitary inspectors and delegates from local boards of health,"

Senate Bill No. 200, entitled "An act to amend section seventy-eight of an act relating to courts having criminal jurisdiction, and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight,

Senate Bill No. 210, entitled "An act to provide for an official stenographer for the orphans' court in counties of the first class,"

Senate Bill No. 211, entitled "A supplement to an act entitled 'An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same,'" approved March second, one thousand eight hundred and seventy,

Senate Bill No. 215, entitled "An act to amend an act entitled 'An act to prevent trespassing with guns,'" approved March fourteenth, eighteen hundred and ninety-five,

Senate Bill No. 220, entitled "An act to amend an act entitled 'An act to compel the determination of drains to real estate in certain cases and to quiet the title to the same,'" approved March second, one thousand eight hundred and seventy,

Senate Bill No. 226, entitled "A further supplement to an act entitled 'An act respecting constables,'"

Senate Bill No. 232, entitled "An amendment to an act entitled 'A further supplement to the act entitled "An act to establish in this state board of health and bureau of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven,'" which said supplement was approved April eighth, one thousand nine hundred and three,

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64 to prescribe the notice to be given of applications to the legislature for laws, when notice is required by the constitution, approved January twenty-sixth, eighteen hundred and seventy-six. A supplement to—80, 94, 101, 113, 117, 354.

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88 entitled "An act to incorporate the New Jersey Society for the Prevention of Cruelty to Animals," approved April third, one thousand eight hundred and sixty-eight. A further supplement to—97, 539, 564, 572, 671, 1064.

89 entitled "An act concerning townships" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine. A supplement to—97, 573, 575, 615, 793, 794, 826, 868.

90 concerning the support and maintenance of the state home at Vineland for veterans and their wives and widows, established under chapter sixty-seven of the laws of one thousand nine hundred and three—97, 290, 309, 326, 480, 596, 606, 607, 615, 645, 993.

91 to amend an act entitled "A supplement to an act entitled 'An act to authorize municipal corporations to contract for a supply of water for public uses,' approved March fifteenth, one thousand eight hundred and eighty-one," which supplement was approved April seventeenth, one thousand eight hundred and eighty-four—97, 369, 374, 384, 451, 727.

92 entitled "An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use of and speed thereof," approved March twenty-third, one thousand nine hundred and three. A supplement to—98, 345, 348, 352, 393, 711, 763, 826, 855, 1001.

93 relating to the water supply of cities—98, 453, 454, 471, 596.

94 An act to further amend an act entitled "An act to organize a state board of agriculture," approved April first, eighteen hundred and eighty-seven—98, 281, 285, 290, 360, 523, 592, 629, 641, 642, 849

95 to regulate the practice of embalming, burial and disposal of dead human bodies—98, 330, 417, 419, 448, 479,

96 concerning negligence of employees—98.

97 to amend an act entitled "An act to provide for the organization of the New Jersey home for disabled soldiers," approved April fourth, one thousand eight hundred and eighty-six—99, 290, 312, 334, 357, 583.

98 to amend an act entitled "An act to provide for the organization of the New Jersey home for disabled soldiers, sailors, marines and their wives," approved April twentieth, one thousand eight hundred and ninety-eight—99, 291, 312, 334, 358, 583.

99 relating to unsafe and inadequate grade crossings in cities of the first class, providing for alteration, change or removal of such crossings, approaches thereto and to any canal or other obstacle to alteration or abolition of such crossings, and providing for maintenance of safe and adequate crossings, approaches thereto and of locks or other appliances used or built in such canal or canals, payment of the cost and maintenance thereof and granting power to condemn lands and appurtenances therefor—99.

100 to regulate fishing in Sandy Hook Bay, Raritan Bay, Staten Island Sound and tributaries thereof—99.

101 to amend an act entitled "An act to provide for the recovery of damages in cases where the death of a person is caused by wrongful act, neglect or default," approved March third, one thousand eight hundred and forty-eight—99

102 to establish the rate of interest on arrears of taxes and assessments in municipal cities of this state—100, 842.

103 to authorize the re-improvement of certain public roads and streets in townships of this state—100

104 to provide for the auditing of the bills and accounts of public library trustees in cities of this state—100.

105 to amend an act entitled "An act establishing a court for the trial of juvenile offenders and defining its duties and powers," approved April eighth, one thousand nine hundred and three—100, 782, 784, 786, 826, 887, 1001.

106 entitled "An act establishing a court for the trial of juvenile offenders and defining its duties and powers," approved April eighth, one thousand nine hundred and three. A supplement to—100, 783, 787, 826, 1064.

107 to amend an act entitled "A supplement to an act entitled 'An act to establish standard packages for cranberries,'" approved March twenty-third, one thousand eight hundred and eighty, which supplement was approved April fourteenth, one thousand nine hundred and three—105, 300, 303, 309, 327, 480.

108 in relation to the appointment of criers of the different courts of the counties of this state and fixing the salaries for the same—105.

109 An act concerning the filling of vacancies in elective offices in cities of the third class—105, 305, 312, 334, 348, 454.

110 entitled "An act to protect children from neglect and cruelty, and relating to their employment, protection and adoption," approved March fourteenth, one thousand eight hundred and eighty. A further supplement to—105, 782, 785, 787, 827, 874, 1055.

111 entitled "An act concerning disorderly persons (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight. A further supplement to—105, 645.

112 to amend an act entitled "A supplement to an act entitled 'An act to provide for the appointment of probation officers and to define their duties and powers'" approved March twenty-third, one thousand nine hundred, which supplement was approved April eighth, one thousand nine hundred and three—106, 782, 785, 787, 827, 912, 1055

113 providing for the pensioning of policemen, their widows, orphans or dependent parents—106, 411, 471, 486, 739, 1064.

114 entitled "An act regulating the pay of officers and policemen in certain cities of this state," approved May ninth, one thousand eight hundred and eighty-nine. A supplement to—106, 297, 303, 309, 328, 480, 678, 764, 768, 773, 815, 818, 953.

115 for the summary review of proceedings on suspensions, dismissal, retirement or reduction in rank of members of the police force or fire department in this state—106.

116 to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three—106.

117 to regulate the keeping of the records of municipal liens in cities of the first class—107, 612.

118 to enable the state of New Jersey to take part in the inaugural parade at Washington, District of Columbia, on March fourth, one thousand nine hundred and five—114, 321, 322, 434, 435, 436.

119 to amend an act entitled "An act respecting the court of chancery (Revision of 1902)," approved April third, one thousand nine hundred and two—114, 324, 325, 334, 356, 370, 422.

120 to amend an act entitled "An act respecting writs of error (Revision)," approved March twenty-seventh, one thousand eight hundred and seventy-four—114, 324, 325, 334, 357, 370, 423.

121 to amend an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight—114, 627, 634, 635, 673, 693, 886.

122 to create a civil service commission in cities of the first class, and to require appointments to the fire and police departments therein to be made for merit—115, 377, 381, 383, 431, 849.

123 for the establishment of forest park reservations by and in the state of New Jersey, and for the appointment of a state board of forest park reservation commissioners, and defining its powers and duties—115, 367, 372, 385, 406, 648.

124 An act concerning the granting of licenses to keep inns and taverns, licenses to sell vinous, spirituous and other strong liquors, and licenses to sell ale, strong beer, lager, porter, wine and malt liquors—115.

125 to enable townships in this state to construct or purchase suitable plants, works and machinery for supplying electric lights for public and private use, and for the maintenance and operation thereof—284, 380, 382, 384, 462

126 entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three. A supplement to—291, 484, 488, 501, 535, 727, 875, 876, 926, 1064.

127 concerning the publication of ordinances—291, 424.

128 to establish an excise department in cities of the second class in this state—291.

129 entitled "An act to authorize the improvement of streets and highways in cities of this state, and to provide for the payment of the expense of same," approved June thirteenth, one thousand eight hundred and ninety-eight A supplement to—291, 485, 487, 501, 534, 1056.

130 to authorize the erection of a monument on the battlefield of Red Bank, in the county of Gloucester, and to appropriate money to pay the cost thereof—291, 386, 393, 407, 533, 697.

131 relating to county detectives in counties of the first class—292, 468, 471, 531, 886

132 to validate bonds heretofore issued by municipalities in this state, pursuant to an act entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, nineteen hundred and three, and the supplements and amendments thereto—292, 512, 564, 572, 680, 954.

133 in relation to the acknowledgment by married women of deeds and other written instruments—292.

134 entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898)" A supplement to—292, 324, 325, 335, 347, 954.

135 relating to the office of register of deeds in this state—292.

136 relating to the office of county clerk in this state—292.

137 relating to the office of county surrogate in this state—293.

138 to provide for the payment by the state of the cost of bye-elections, hereafter to be held, to fill vacancies in the legislature—297, 846, 858, 914, 1064.

139 to authorize and regulate corporations for the supply of water in places other than cities—297, 404

140 to repeal "An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water," approved April twenty-first, one thousand eight hundred and seventy-six, and several of the supplements thereto—297, 369, 374, 384, 467, 1064.

141 to enable cities to purchase land, erect buildings thereon, and equip the same for fire department purposes—298, 368, 373, 385, 394, 413, 414, 449, 474, 886.

142 An act concerning the lien of unpaid taxes on lands, tenements, hereditaments or real estate assessed since the first day of January, in the year one thousand eight hundred and ninety-eight, or to be hereafter assessed—298

143 making it a misdemeanor for any person connected with any line of telegraph or telephone within this state to use or cause to be used, make known or cause to be made known or in any way divulge the contents of any telegraph or telephone dispatch, and prescribing the punishment therefor—298

144 entitled "An act to provide for the issuance of confirmatory licenses in certain cases to attorneys-at-law and solicitors in chancery, and counsellors-at-law," approved March twenty-eighth, one thousand nine hundred and four. A supplement to—298, 426, 428, 464, 472, 765.

145 entitled "An act determining what newspapers shall be qualified to publish legal notices and proceedings," approved June thirteenth, one thousand eight hundred and ninety-five. A supplement to—299.

146 entitled "An act for the formation and government of villages" (Revision), approved February twenty-third, one thousand eight hundred and ninety-one. Supplement to—299, 325, 326, 335, 378, 697.

147 to provide for short courses in practical and scientific agriculture in the state agricultural college—300, 335, 343, 352, 415, 648.

148 relating to corporations—305, 365, 476, 496, 497, 513, 514, 515, 572, 1037.

149 to regulate the practice of barbering, the licensing of persons to carry on such practice and to ensure the better education of such practitioners, and to ensure better sanitary conditions in barber shops, and to authorize boards of health to co-operate in securing such conditions, and to prevent the spreading of contagious or infectious diseases in the state of New Jersey—305, 369, 375, 385, 456.

150 entitled "An act concerning the cremation of garbage and authorizing the acquisition of lands and the erection of crematories thereon in the cities of this state," approved February twentieth, one thousand eight hundred and ninety-five. A supplement to—306, 368, 373, 385, 409, 766.

151 to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture and provide open and close seasons for such capture and possession" (Revision 1903), approved April fourteenth, one thousand nine hundred and three—306

152 to authorize and enable cities of the third class in this state to furnish electricity, for light, heat and power for public and private purposes and uses in such cities, and for light, heat and power for public and private purposes and uses in adjacent municipalities—310.

153 to authorize and enable cities of the third class in this state to furnish gas, for light, heat and power, for public and private purposes and uses in such cities, and for light, heat and power for public and private purposes and uses in adjacent municipalities—310.

154 An act to authorize cities in this state to purchase existing electric light plants, or to purchase the necessary land as a site for an electric light plant, including the construction of building and the purchase of machinery for the purpose of generating, supplying and distributing electricity for electric light, heat, power, or for any other purposes whatsoever, for public and private use in said cities, and for public and private use in adjacent or neighboring municipalities, and to provide the necessary expenses thereof, and for the regulation of the same—311.

155 to amend an act entitled "An act concerning paid fire departments in cities of the first class, and for the relief of members thereof and their families," approved April twenty-fourth, one thousand nine hundred and two—311, 370, 375, 441, 442, 1064

156 to repeal an act entitled "An act concerning the office of collector, and term thereof, in cities of the second class having a population not exceeding twenty-five thousand," approved April seventh, one thousand nine hundred and three—311, 369, 374, 385, 478, 1001

157 entitled "An act to incorporate the board of chosen freeholders in the respective counties of this state (Revision)," approved April sixteenth, one thousand eight hundred and forty-six. A further supplement to—311.

158 entitled "An act relative to the court of errors and appeals (Revision, 1900)," approved March twenty-third, one thousand nine hundred A supplement to—312, 366, 392, 407, 511, 557, 588, 766.

159 concerning streets and highways in townships—324, 507, 509, 557, 575, 576, 615, 681, 886.

160 to enable water companies to secure a sufficient water-supply—327, 779, 786, 827, 1064.

161 to establish, encourage and maintain volunteer fire departments—335, 369, 374, 385, 464, 945, 947, 952.

162 to regulate term of office in municipalities, approved March twelfth, one thousand eight hundred and eighty Supplement to —335, 426, 428, 449, 530, 728.

163 entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight. Supplement to—336, 426, 428, 449, 467, 1000

164 to amend an act entitled "An act to improve the condition of the tenement-houses in this state and to establish a state board of tenement-house supervision," approved March twenty-fifth, nineteen hundred and four—336, 380, 577, 667, 668, 731, 776, 817, 993.

165 entitled "An act to provide for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five. A further supplement to—336, 609, 613, 673, 694.

166 to further amend an act entitled "A supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," which supplement was approved March thirty-first, one thousand eight hundred and ninety-seven—336, 609, 613, 673, 717, 718, 725, 1010

167 An act entitled "An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five," approved April fifth, one thousand nine hundred and four. A further supplement to—336, 386, 393, 407. 433, 697.

168 entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state," approved April third, one thousand nine hundred and two. A supplement to—337, 500, 502, 506, 570 766.

169 to repeal an act entitled "An act to provide for the free distribution of diphtheria antitoxin to the inhabitants of this state," approved April fifth, nineteen hundred and four—337, 427, 429, 449, 477.

170 entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, eighteen hundred and ninety-seven. A supplement to—337.

171 in reference to elections in this state—337.

172 entitled "An act for the protection of certain kinds of birds and fish, and to provide a procedure to recover penalties for the violation thereof," approved March twenty-second, one thousand eight hundred and ninety-five, and the several amendments thereto. A supplement to—337, 424, 449, 455, 728.

173 to amend an act entitled "An act relating to cities of the first class in this state and requiring the publication of the names of applicants for licenses to sell spirituous, vinous, malt or brewed liquors," approved March seventeenth, one thousand eight hundred and ninety-two—338, 499, 506, 579, 697.

174 concerning the commitment of insane persons into institutions for the care and treatment of the insane in this state, their confinement therein and their support while so confined—338, 577, 579, 651, 800, 954.

175 to repeal sundry statutes—338, 577, 579, 615, 803.

176 to amend an act entitled "An act to establish public parks in certain counties of this state, and to regulate the same," approved May sixth, nineteen hundred and two—338, 672, 686, 689, 954, 1064.

177 to secure the payment of laborers, mechanics and other persons employed upon or furnishing materials toward the maintenance of any water-works owned or controlled by municipalities of this state—338, 750, 753, 776, 1013.

178 entitled "An act for the assessment and collection of taxes," approved April eighth, nineteen hundred and three. Supplement to —339, 426, 428, 449, 463, 766

179 to amend an act entitled "An act respecting orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision of 1898)'"—339, 427, 429, 449, 463.

180 authorizing the sinking fund commissioners of certain municipalities in this state to cancel the municipal bonds of such municipalities held by them"—339, 605, 612, 673, 1065.

181 authorizing the issue of tax arrearage bonds in cities, approved April twenty-first, one thousand eight hundred and seventy-six. A supplement to—339, 605, 612, 673, 741.

182 An act to incorporate the borough of Cape May Point and fix the boundaries thereof—339, 394

183 to amend an act entitled "An act to further amend an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this state,'" approved April sixteenth, one thousand eight hundred and forty-six, which further amendment was approved March fourteenth, one thousand eight hundred and seventy-nine—339, 519, 521, 557, 603.

184 to incorporate "Northfield," in the county of Atlantic, as a city, and fixing the boundaries thereof—340, 380, 382, 385, 408, 524.

185 entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, one thousand nine hundred and three A supplement to—340, 430, 433, 449, 608, 766.

186 entitled "A supplement to an act entitled 'An act to provide for the permanent improvement of public roads in this state,'" approved April first, one thousand nine hundred and three, which said supplement was approved April seventh, one thousand nine hundred and three A further supplement to—340, 430, 433, 449, 608, 766.

187 entitled "A further supplement to an act entitled 'An act to provide for the control and operation of roads and bridges owned or claimed to be owned by any plank-road company whose charter has expired or may expire,'" approved March twenty-second, one thousand nine hundred and one, which further supplement was approved March twenty-eighth, one thousand nine hundred and four. A further supplement to—340, 430, 433, 449, 532, 766.

188 entitled "An act relating to information in the nature of a quo warranto (Revision of 1903)," approved April eighth, nineteen hundred and three. A supplement to—341, 438, 848, 981, 1041.

189 to revise and amend an act entitled "An act for the taxation of all property and franchises of persons, copartnerships, associations or corporations using or occupying public streets, highways, roads or other public places, except municipal and corporations taxable under the act entitled 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four, or any of the supplements or amendments thereto," which act was approved March twenty-third, nineteen hundred, and the supplements and amendments thereto—341, 438, 848, 981, 1041.

190 to authorize cities of the first class to contract to supply water to certain other municipalities in this state—341, 848, 920, 924, 948, 982

191 to incorporate the borough of Audubon, in the county of Camden—341, 387, 393, 407, 432, 513

192 to incorporate the borough of Pitman, in the county of Gloucester—341, 365, 405, 440, 441, 464, 535, 953.

193 entitled "An act concerning the court of chancery," approved April third, one thousand nine hundred and two. A supplement to—342, 411, 419, 450, 619.

194 entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five A supplement to—350, 533, 564, 572, 638, 639, 766.

195 An act entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, one thousand nine hundred and three. A supplement to—352, 830, 842, 894, 1008, 1065.

196 entitled "An act respecting conveyances (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight A supplement to—353, 411, 419, 450, 478, 479, 482, 485, 534, 1011.

197 authorizing the payment before maturity of bonds issued by any of the cities of this state for the purpose of raising money to purchase lands and erect police stations, and providing for the issue and sale of other bonds in their place and stead—353, 657, 669, 689, 770, 1000.

198 to provide for (the payment for) the paving, repaving, repairing and improving of paved streets and public places, and the reconstructing of sewers, and the construction and furnishing of public school buildings in any city in this state, out of moneys, received from liquor licenses in such city—370, 711, 713.

199 entitled "An act for the relief of creditors against absent, fraudulent and absconding debtors," approved March twentieth, one thousand nine hundred and one Supplement to—381, 427, 429, 450, 473, 953.

200 for the appointment of a board for the examination and licensing of sanitary plumbers, and defining the duties and powers of said board—381, 757, 760, 827, 890.

201 to amend an act entitled "An act to increase the powers of boards of commissioners," approved February twenty-first, one thousand eight hundred and eighty-eight—381, 558, 839, 842, 843, 846, 858, 914, 966.

202 to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, nineteen hundred and three—387, 565, 572, 656, 767.

203 to amend an act entitled "An act concerning railroads (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three—387, 519.

204 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—387, 522, 557, 587, 1000.

205 to amend an act entitled "An act to amend an act entitled 'A further supplement to an act entitled "An act for the appointment of commissioners for the better protection of the fishing interests of the state of New Jersey," approved March seventeenth, one thousand eight hundred and seventy,' which supplement was approved May fifteenth, one thousand eight hundred and ninety-four," and which further amendatory act was approved March twenty-second, one thousand eight hundred and ninety-five—387.

206 to amend an act entitled "An act for the protection of certain kinds of birds, game and fish and to provide a procedure to recover penalties for the violation hereof," approved March twenty-second, one thousand eight hundred and ninety-five—388.

207 An act providing for the holding of an annual meeting in the several towns, townships, boroughs and villages in this state for the purpose of electing therein justices of the peace in place of justices of the peace whose terms expire on the first day of May, one thousand nine hundred and five—388, 746, 751, 815, 1038, 1065.

208 authorizing boards of health in the cities of this state to examine and license plumbers to do plumbing work and make provision for the drainage of buildings, to appoint commissioners for this purpose and to pass ordinances and make rules and regulations relating thereto—388, 757, 788, 799, 810, 907.

209 to amend an act entitled "An act for the relief of executors, administrators and assignees," approved March twenty-fourth, one thousand eight hundred and ninety-nine—388, 430, 433, 450. 462, 886.

210 concerning the time of payment of assessments of benefits of public improvements in towns of this state—389, 609, 613, 674, 740, 1001.

211 to regulate the price of electric arc lights for lighting streets and public places—389.

212 to provide for water supply for municipalities of this state—389.

213 entitled "An act to provide for the purchase, construction and maintenance of public parks by the cities and other municipalities in this state," approved April fourth, one thousand nine hundred and two Supplement to—389, 591, 615, 1065.

214 to amend an act entitled "An act establishing a court for the trial of juvenile offenders and defining its duties and powers," approved April eighth, nineteen hundred and three—389

215 to amend "An act for the construction, maintenance and operation of water works for the purpose of supplying cities, towns and villages of this state with water," approved April twenty-first, eighteen hundred and seventy-six—390, 533, 564, 572, 680, 1000.

216 to amend an act entitled "An act concerning townships (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine—390.

217 entitled "An act to promote the propagation and growth of seed oysters and to protect the natural oyster seed grounds of this state," approved March twenty-first, one thousand eight hundred and ninety-nine. A supplement to—390. 710, 737.

218 entitled "An act to license graduate nurses in the state of New Jersey, and providing penalties for violation of its provisions," approved April seventh, one thousand nine hundred and three. A supplement to—390, 713, 714, 725, 770, 1001.

219 providing for the annual audit of the finances of municipalities —390, 929, 936, 997, 1065.

220 to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, nineteen hundred and three—391, 528, 529, 530, 648.

221 An act entitled "An act to remove the fire and police departments in cities of this state from political control," approved May second, one thousand eight hundred and eighty-five. A further supplement to—391, 801, 802, 813, 827, 894, 1001.

222 for the regulation and control of experiments in the artificial propagation of oysters and clams—395, 729, 776, 872.

223 providing for the more efficient control of the expenditures of state funds—395, 437, 440, 464, 625, 626, 674, 812, 813, 827, 871, 1001.

224 concerning sheriffs, approved March fifteenth, one thousand eight hundred and seventy-six. A supplement to—395, 519, 522, 557, 683.

225 to amend an act entitled "An act concerning district courts (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight—395, 783, 788, 827, 912

226 to abolish the state board of taxation and to create in lieu thereof a court for equalization, revision, review and enforcement of tax assessments—405, 591, 593, 614, 674, 734, 737, 739, 803, 926, 927.

227 entitled "An act concerning evidence (Revision of 1900)," approved March twenty-third, nineteen hundred. A supplement to—406, 723.

228 entitled "An act concerning evidence (Revision of 1900)," approved March twenty-third, nineteen hundred. A supplement to—406.

229 entitled "An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogate (Revision of 1898)." A supplement to—406, 721, 776, 807, 1000.

230 to amend an act entitled "An act concerning consolidated cities and annexed municipalities and townships or portions thereof," approved March twenty-second, nineteen hundred—406, 605, 612, 674, 695, 1001.

231 to provide for the general assessment and equal taxation of property—407, 439, 483, 592

232 to amend an act entitled "An act providing for the formation and government of towns," approved April twenty-fourth, one thousand eight hundred and eighty-eight—408, 507, 509, 572, 682.

233 for the better protection of game birds—418

234 entitled "An act for the publication of the law and chancery reports (Revision," approved February twenty-eighth, one thousand eight hundred and seventy-seven A further supplement to—424.

235 entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight. A supplement to—427, 476, 482, 485, 538.

236 entitled "An act concerning firemen's relief associations," approved March twenty-fifth, one thousand eight hundred and eighty-five Supplement to—428, 605, 612, 674, 699.

237 entitled "An act concerning townships (Revision of 1899)." A supplement to—428, 507, 509, 557, 670, 994.

238 An act to amend an act entitled "A further supplement to an act entitled 'An act providing for the formation, establishment and government of towns,' approved March seventh, one thousand eight hundred and ninety-five," which supplement was approved June thirteenth, one thousand eight hundred and ninety-eight—437, 714, 725, 822

239 to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company—437, 446, 452, 476, 516, 541, 738, 794, 825, 832, 836, 837, 1035.

240 providing for the purchase, establishment and maintenance of electric light and power sites and plants, for the operation thereof, for the supplying of electric light and power, for paying the expenses thereof, and for the regulation of such sites, plants and supplies"—453.

241 to amend an act entitled "An act constituting courts for the trial of small causes (Revision of 1903)," approved April eighth, one thousand nine hundred and three—454, 519, 522, 557, 1065.

242 entitled "An act to authorize the issue of bonds for building public bridges in second class counties," approved March twenty-first, one thousand eight hundred and ninety-five A supplement to—454, 722, 846, 857, 894, 962, 1057.

243 entitled "An act relative to the supreme and circuit courts" (Revision of 1900), approved March twenty-third, one thousand nine hundred. A supplement to—469.

244 entitled "An act for the incorporation of cities, and providing for their officers, government and powers," approved March twenty-fourth, one thousand eight hundred and ninety-nine A further supplement to—470, 672, 690, 815, 865, 999, 1015.

245 to authorize the improvement of certain streets, and other public places, in cities of this state, at the public expense, and the issue of bonds for the cost thereof—470, 672, 690, 753, 865, 1002.

246 to incorporate the borough of Cape May and fix the boundaries thereof—470, 520.

247 prohibiting persons not members of secret societies or other organizations from wearing the badge or uniform of such orders or organizations and prescribing penalties for the violation of the provisions thereof—470, 512, 521, 558, 622

248 to permit the retirement, on pension, from public office or position, after forty years' continuous service therein, of honorably discharged Union soldiers, sailors and marines who served in the war of the rebellion—470, 559, 566, 572, 590, 591, 616, 657, 658, 659, 918, 970, 971.

249 to validate sales and conveyances of real estate heretofore made by a trustee appointed by a court of another state, when the deeds therefor have been duly recorded and where the grantees of said trustees, their heirs and assigns, have been in peaceable possession thereof for a period exceeding twenty years—471, 739, 776, 806, 1002.

250 creating a commission to investigate the condition of certain marshes in the vicinity of Arthur Kill and Newark Meadows, as affecting the public health, or the property values and other interests of the city of Newark, Arthur Kills and Newark Meadows—471, 516, 521, 558, 588, 1065.

251 An act to authorize the dredging, deepening and removal of obstructions from the bed of any river at any place or places above tide water where it flows through or borders on any city of this state, and to provide for the payment of the expense of the same—476, 706, 707, 725, 760, 864.

252 entitled "An act authorizing cities of this state to extend existing water-works owned by such cities, and to issue bonds for the cost of such extension," approved March twenty-second, one thousand nine hundred and four. A supplement to—476, 559, 566, 572, 652, 849.

253 to amend an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898)"—477, 520, 522, 558, 651, 886.

254 to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively—479, 571, 831, 844, 866, 911, 1000.

255 for the protection of quail—482

256 to amend an act entitled "An act concerning the levying of taxes in certain municipalities," approved February fifteenth, one thousand nine hundred and five—486, 558, 565, 572, 648.

257 to provide for the custody of county vouchers, minute books and records of proceedings of boards of chosen freeholders in counties of the third class—486, 846, 857, 935, 1043, 1065.

258 to amend an act entitled "An act to protect the health of boys and girls, and secure to parents the control of their children," approved March tenth, one thousand eight hundred and eighty—486, 749, 752, 776, 807.

259 to repeal an act entitled "A further supplement to an act entitled 'An act to establish and regulate pilots for the ports of Jersey City, Newark and Perth Amboy by way of Sandy Hook,'" approved April seventeenth, eighteen hundred and forty-six, which supplement was approved March twenty-second, eighteen hundred and ninety-five—487, 594, 595, 616, 678, 886.

260 to authorize consolidated and annexed municipalities to make assessments for local improvements—487, 688, 691, 718, 744, 886.

261 entitled "An act relating to, regulating and providing for the government of cities," which act was approved April eighth, one thousand nine hundred and three Supplement to—491, 519, 521, 558, 604, 605, 616, 646, 999, 1016.

262 relative to the publication of the laws of this state in the newspapers—492, 721, 751, 776, 808.

263 entitled "An act concerning landlords and tenants," approved March twenty-seventh, eighteen hundred and seventy-four. A further supplement to—492, 516, 521, 558, 651, 693, 694, 718, 744, 1036, 1045, 1046

264 entitled "An act concerning district courts" (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight. A further supplement to—492, 522, 558, 658, 953

265 entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)." A further supplement to—494, 605, 613, 646, 674, 738, 801, 844, 895, 963, 1055.

266 An act to amend an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three—501, 790, 793, 827, 888, 904, 905, 906, 948, 1010

267 to establish a parole agent for the state prison—501, 935, 938, 976, 982, 1057.

268 to authorize the bonding of public officials by surety companies and the payment of the premiums therefor out of the state, county or municipal fund—501, 711, 713, 726, 757, 994

269 to repeal sundry acts relating to the adjustment of arrearages of taxes, assessments or water rents, being liens upon land and sales therefor—503, 846, 857, 895, 1039, 1065

270 for the sale in fee of land purchased by any taxing district for taxes, assessments or water rents (Revision of 1905)—503, 845, 857, 935, 1065.

271 entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three An amendment to—508.

272 to amend an act entitled "An act to provide for the regulation of the flow of torrential rivers, to protect persons and property from damage by floods, and to provide for the maintenance and regulation of river flood districts when established by law," approved April nineteenth, one thousand nine hundred and four, and to repeal a portion thereof—508, 636, 638, 674, 700, 917, 924, 957, 958.

273 entitled "An act relative to the supreme and circuit courts" (Revision of 1900), approved March twenty-third, one thousand nine hundred. A further supplement to—508, 689, 691, 718, 736, 737, 777, 805, 1057.

274 entitled "An act to regulate the practice of courts of law" (Revision of 1903), approved April fourteenth, nineteen hundred and three A supplement to—508.

275 to regulate the sale of spirituous, vinous, malt and brewed liquors—508, 633, 634, 674, 774, 823, 1066

276 entitled "A general act relating to boroughs" (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven, A supplement to—509, 611, 614, 674, 1066.

277 to authorize the appointment of a recorder in municipalities in certain cases of vacancies in the office of justice of the peace, and to define his powers and duties—520, 633, 636, 674, 740, 953.

278 concerning assessments for benefits conferred upon land and real estate by reason of paving, repaving or macadamizing streets, highways, alleys or other public places in cities of this state, or the construction of sewers and drains therein—528, 802, 814, 827, 874, 1037

279 entitled "An act concerning evidence (Revision of 1900)." A supplement to—528, 589, 591, 616, 654.

280 entitled "An act to provide for the construction and maintenance of speedways in counties of this state," approved March nineteenth, one thousand nine hundred and two. A supplement to—529, 904.

281 An act to amend an act entitled "An act to enable the board of chosen freeholders of any county in this state to erect, construct and maintain a viaduct between two or more municipalities in such county, connecting streets or roads of such county or municipality and to extend roads to connect with such viaduct and to acquire lands for the same and to issue bonds for the payment of the cost of the erection, construction and acquisition thereof," approved March twenty-eighth, nineteen hundred and four—529, 633, 634, 674, 1066.

282 to provide for the purchase of voting machines and to regulate the use of the same at elections—539, 575, 651, 1066

283 to extend the territorial boundaries of the township of Florence in the county of Burlington by the annexation of a portion of the township of Burlington in said county—559, 713, 714, 725, 756, 953.

284 entitled "An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof," approved March twenty-third, nineteen hundred and three A supplement to—559.

285 to amend an act entitled "An act to secure the purity of foods, beverages, confectionary, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof," approved March twenty-first, nineteen hundred and one—559.

286 entitled "An act concerning townships" (Revision of 1899), approved March twenty-fourth, one thousand eight hundred and ninety-nine A supplement to—560, 631, 635, 675, 684, 947, 953

287 authorizing the appointment of boards of city hospital trustees, defining their powers and duties, and providing for the purchase of lands and erection and equipment of buildings for hospital purposes in the several cities in this state—560, 634

288 to provide for the purchase of a site for and the erection and equipment of a state arsenal in the city of Trenton, and making an appropriation therefor, and to provide for the taking of real estate for such site by condemnation in case the same cannot be purchased by agreement—560, 636, 638, 689, 1066.

289 to provide for the use of lands now occupied by the state arsenal at Trenton, for the purpose of enlarging the state prison—560, 636, 638, 675, 1066.

290 concerning paid fire departments in certain municipalities of this state, and for the relief of members thereof, their widows, dependent parents, and their children—560, 605, 613, 675, 683, 849.

291 to repeal so much of the act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, and the amendment thereof, entitled "An act to amend an act entitled 'An act for the assessment and collection of taxes,' approved April eighth, one thousand nine hundred and three," which said amendment was approved March twenty-eighth, one thousand nine hundred and four, in so far as they repeal or affect in any way the act entitled "A further supplement to the act entitled 'An act to encourage the establishment of mutual loan and building associations,' approved February twenty-eighth, one thousand eight hundred and forty-nine," and which said last named supplement was approved March twentieth, one thousand eight hundred and seventy-four, and the assessment and collection of taxes and the deduction of loan association mortgages, or the debts secured by such mortgages from the assessed values of the real estate covered thereby so as to prevent double taxation—561, 627, 635, 675, 819, 1002.

292 An act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof," approved March twenty-third, one thousand nine hundred and three—561, 611, 614, 675, 678, 683, 729, 730, 776, 1066.

293 relating to collectors of taxes in certain municipalities—562.

294 to amend an act entitled "An act to regulate the practice of courts of law (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three—562, 783, 788, 827, 961.

295 to amend an act entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three—562, 978, 991, 1006, 1066

296 establishing a court for the trial of juvenile offenders, and defining its duties and powers, approved April eighth, one thousand nine hundred and three. A supplement to—562, 945, 946, 998, 1066.

297 for the better publication of the annual financial statement of towns, boroughs and townships, and of cities containing a population of less than twelve thousand inhabitants—562

298 concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state—563.

299 to amend "A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," which further supplement was approved April fourteenth, one thousand nine hundred and three—563, 724, 793, 828, 928

300 to amend an act entitled "An act respecting the orphans' court" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight—563, 783, 787, 828, 878.

301 to amend an act entitled "An act defining motor vehicles, and providing for the registration of the same, and uniform rules regulating the use and speed thereof," approved March twenty-third, one thousand nine hundred and three—563

302 to amend an act entitled "An act to protect the owners of bottles, boxes, siphons, tins, kegs or other articles used in the sale of soda waters, mineral or aerated waters, porter, ale, beer, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages or medicines, medical preparations, perfumery oils, compounds or mixtures," approved April eighth, one thousand eight hundred and ninety-eight—563, 750, 752, 777, 817, 1055.

303 entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight A further supplement to—573, 676, 686, 689, 754, 800, 877, 902, 903, 948, 968, 1055.

304 entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three A supplement to—574, 789, 792, 828, 913, 1055.

305 to provide for the better security of life and limb in buildings—574, 925, 949, 1008.

306 An act to amend an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October ineteenth, one thousand nine hundred and three—574, 789, 792, 828, 916, 1055

307 to amend an act entitled "An act providing for the pensioning of school teachers in this state," approved March fifth, nineteen hundred and three—574, 789, 792, 866, 941, 942, 998, 1036, 1067.

308 entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, management and support thereof," approved October nineteen, one thousand nine hundred and three. A supplement to—574.

309 to amend an act entitled "An act to prevent the unlawful use or willful injury to milk cans, and imposing a penalty therefor," approved April ninth, one thousand nine hundred and two—576, 814, 828, 878, 1057

310 entitled "An act to authorize cities of the first class in this state to provide annual excursions for the children of the same," approved March twenty-eighth, one thousand nine hundred and four." A supplement to—589, 688, 691, 718, 755, 886.

311 confirming, validating and legalizing any deed or deeds of conveyance of or for lands, tenements, hereditaments or real estate of any decedent whose estate has been decreed to be insolvent, and whose lands have been ordered sold by any orphans' court for the purpose of paying the debts of said decedent, 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 by any substituted administrator or administrators, or by the survivors or survivor, successor or successors, of them, him or her, and making the record of said deed or deeds admissible in evidence"—589, 872, 883, 914, 985

312 to authorize cities to provide for the payment for water-works by issuing bonds containing the general obligations of the city, and also secured by mortgage upon said works and other property of said cities"—596, 764, 769, 815, 870, 999, 1014

313 entitled "An act to protect children from neglect and cruelty and relating to their employment, protection and adoption," approved March fourth, one thousand eight hundred and eighty. A further supplement to—596, 863, 864, 914, 965

314 entitled "An act concerning disorderly persons (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight. A further supplement to—597, 876, 882, 914, 965.

315 to amend an act entitled "An act to incorporate the chosen freeholders in the respective counties of the state," approved April sixteenth, one thousand eight hundred and forty-six—609

316 entitled "An act concerning railroads" (Revision of 1903), approved April fourteenth, one thousand nine hundred and three. Supplement to—611.

317 to provide for the more efficient maintenance and cleaning of streets in cities of the first class of this state—611.

318 An act providing for the installation and care of toilet-rooms on ferry-boats plying over a distance of two miles or more, between any point or points in the state of New Jersey and any other state —611.

319 concerning cities—612.

320 to provide security against extraordinary conflagrations, and for the creation of safety funds by fire insurance companies to protect their policyholders who are not sufferers by such conflagrations—616, 705, 707, 725, 759.

321 entitled "An act respecting conveyances" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight A supplement to—616, 720, 722, 776, 880, 882, 914, 1011.

322 to set off a part of the city of Newark, in the county of Essex, and annex such portion so set off to the city of East Orange, in the county of Essex—617.

323 entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight—618

324 to amend an act entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled 'An act to regulate the sale of intoxicating and brewed liquors,' passed March seventh, one thousand eight hundred and eighty-eight, approved March twentieth, one thousand eight hundred and eighty-nine," approved March ninth, one thousand nine hundred and five—623, 624, 626, 627

325 to repeal an act entitled "An act to increase the efficiency of the public school system of the state by providing for additional free scholarship at the state agricultural college," passed March thirty-first, eighteen hundred and ninety—628, 704.

326 to amend an act entitled "A supplement to an act entitled 'An act for the licensing of dogs," approved March fifteenth, one thousand eight hundred and ninety-three,' approved April ninth, eighteen hundred and ninety-six"—632.

327 for the licensing of firemen, for the protection of life and property against loss or damage from the operation of stationary steam boilers by incompetent persons—632.

328 to amend an act entitled "An act to revise and amend an act for the taxation of railroad and canal property," approved April tenth, one thousand eight hundred and eighty-four, which act of revision and amendment was approved March twenty-seventh, one thousand eight hundred and eighty-eight—632, 848, 981, 1040.

329 authorizing cities of the third class by ordinance to make the fiscal year in said cities begin on the first day of January and end on the thirty-first day of December in each year—633, 711, 759, 760, 777, 811, 1002.

330 entitled "A general act relating to boroughs" (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven. A supplement to—636.

331 concerning licenses granted to inns and taverns for the sale of spirituous, vinous, malt and brewed liquors in this state"—636, 688, 691, 718, 742.

332 An act entitled "A supplement to an act entitled 'An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey,' approved March twenty-fourth, eighteen hundred and ninety-nine," approved March twenty-fourth, eighteen hundred and ninety-nine, which said supplemental act was approved March fifteenth, one thousand nine hundred and five, and extending the provisions of said supplemental act, and extending the provisions of said original act to certain lands under the tidal waters on Raritan bay, in the state of New Jersey, to wit, lands comprehended by the following lines. Beginning at the watch-house at Canaskonk Point, on the shore of Raritan bay; thence in a straight line to the government buoy, known as East Point buoy; thence on a true course west southwest to the point where said course intersects a line drawn on a course due north from Cliffwood Point; thence on a true course south to Cliffwood Point; thence along the shore line to the place of beginning A supplement to—654, 710, 712, 726, 795, 796, 797, 798, 828, 1056.

333 to amend an act entitled "An act concerning district court fees" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight—656, 782, 843, 895, 984, 1067.

334 to amend an act entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, eighteen hundred and ninety-eight—660, 913, 923, 949, 1067.

335 entitled "An act to establish in this state boards of health and bureaus of vital statistics, and to define their respective powers and duties," approved March thirty-first, one thousand eight hundred and eighty-seven. A further supplement to—661, 830, 840, 895, 900, 1067.

336 to amend an act entitled "An act respecting the court of chancery (Revision of 1902)," approved April third, one thousand nine hundred and two—661, 733, 737, 777, 870, 1002.

337 entitled "An act to provide for and regulate appeals from any district court in any city of the state to the supreme court," approved April third, nineteen hundred and three. A supplement to—662

338 to repeal section eighty-one of an act entitled "A further supplement to an act entitled 'An act to provide for the incorporation and regulation of insurance companies,'" approved April third, one thousand nine hundred and two—662, 847, 858, 895, 969, 1067.

339 to amend an act entitled "An act for the punishment of crimes (Revisoin of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight—662

340 to authorize certain municipalities in this state to insure their buildings—662

341 to facilitate the identification of criminals—662

342 entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight. A supplement to—662, 720, 777, 820

343 to amend an act entitled "An act concerning railroads (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three—663

344 An act to amend an act entitled "An act to establish a thorough and efficient system of free public schools and provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three—663, 790, 793, 829, 909, 910, 949, 1009.

345 to further amend a supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved April eighth, one thousand nine hundred and three—663, 720, 777, 1067.

346 concerning turnpikes and to regulate the toll for auotmobiles and other motor vehicles on the same—663, 747, 753, 777, 812, 1056.

347 entitled "An act constituting courts for the trial of small causes (Revision of 1903)," approved April eighth, one thousand nine hundred and three. A supplement to—676, 783, 788, 829, 917.

348 to repeal chapter one hundred and twelve of the laws of one thousand nine hundred and two—676, 822, 824, 829, 943, 1067.

349 entitled "An act relating to, regulating and providing for the government of cities," which act was approved April eighth, one thousand nine hundred and three. A further supplement to—676, 781, 785, 786, 829, 911.

350 authorizing the appointment of boards of city hospital trustees, defining their powers and duties, and providing for the purchase of lands and erection and equipment of buildings for hospital purposes, in the several cities in this state—676.

351 to provide for the purchase by boards of chosen freeholders, of turnpike or toll roads, or portions thereof, which have been improved by the construction thereon of a macadam, telford, rubble or other stone road, for free public use as county roads, and for the repair, improvement and maintenance of the same—677, 733, 778, 820, 1002.

352 concerning municipalities—677.

353 entitled "An act relating to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight A supplement to—677, 720, 777, 869, 915, 986.

354 entitled "An act for the creation of a state board of children's guardians and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this state," approved March twenty-fourth, eighteen hundred and ninety-nine. A supplement to—677, 722

355 relative to the raising of taxes in the municipalities of this state—685, 734, 738, 739, 778, 779, 780

356 to amend an act entitled "An act to authorize cities to order and regulate the construction of sidewalks and to provide for the payment of the expense thereof," approved May tenth, one thousand eight hundred and eighty-four—685, 747, 751, 778, 898.

357 entitled "An act respecting constables." A further supplement to —690.

358 to annex to the borough of Hasbrouck Heights, in the county of Bergen, a part or portion of the township of Lodi, in said county —690, 749, 752, 778, 779, 1002

359 An act entitled "An act in relation to county expenditures" (Revision), approved April second, one thousand eight hundred and seventy-eight. A supplement to—692, 761, 777, 801.

360 relating to the time of holding the annual stated meeting of the boards of chosen freeholders in the respective counties of this state, and the appointment and terms of office of officers elected or appointed thereby—692, 761, 762, 778, 794

361 to amend an act entitled "An act relating to, regulating and providing for the government of cities," which act was approved April eighth, one thousand nine hundred and three—692, 781, 786, 829, 854, 855, 856, 866, 893, 1056.

362 to provide for the participation of the state of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States by English-speaking people, in the year sixteen hundred and seven—700, 755, 757, 758, 778, 849.

363 to amend an act entitled "An act concerning minors, their adoption, custody and maintenance (Revision of 1902),"—706, 872, 883, 915, 969, 1056.

364 entitled "An act for the punishment of crimes (Revision of 1898),". A further supplement to—706.

365 ot amend an act entitled "An act concerning disorderly persons (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight—706, 951, 998, 1067.

366 to amend an act entitled "A supplement to an act entitled 'An act concerning the military and naval forces (Revision of 1900),'" approved March twenty-fourth, one thousand nine hundred and three—712, 749, 752, 799, 809, 994.

367 to amend an act entitled "An act to amend an act entitled 'An act concerning the military and naval forces (Revision of 1900),'" approved April tenth, one thousand nine hundred and two—712, 749, 752, 778, 809, 994

368 to authorize cities of the second class in this state to provide music in the public parks of such cities during the months of July and August of each year—712, 764, 769, 815, 868, 1000.

369 to create flood district to be called Passaic River Flood District—719, 764, 769, 829, 915, 1000.

370 to amend section two of an act entitled "A further supplement to an act regulating fisheries in the Mullica river," approved April third, one thousand eight hundred and sixty-seven—724, 768, 788, 829, 877, 1000

371 entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three. A supplement to—724, 850, 901, 949, 967, 1037

372 relating to the appointment, removal, government and control of police and providing for the appointment of a board of police commissioners in towns—724, 840, 843, 895, 962.

373 concerning the court of chancery—724.

374 entiteld "An act relating to, regulating and providing for the government of cities," which act was approved April eighth, one thousand nine hundred and three. Supplement to—742, 838, 843, 847, 866, 954.

375 An act for the protection of minors—742.

376 to amend an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four—745.

377 to create a board of railroad commissioners for the state of New Jersey, and prescribe their powers and duties—750

378 entiteld "An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof," approved March twenty-third, nineteen hundred and three. A supplement to—754.

379 to amend an act entitled "An act relative to the time of elections and appointments and terms of office of officers elected or appointed in towns, townships, boroughs and other municipalities in this state," approved February fifteenth, one thousand nine hundred and five—754, 802, 814, 829, 876, 1036, 1044.

380 concerning street improvements in cities—755.

381 to prohibit the delivery or sale of water through water mains or pipes in any municipality where there is a public water-supply, except by the municipal authorities or with their consent—755.

382 entitled "An act concerning railroads (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three. A supplement to—755

383 to authorize townships in this state to re-improve any road or street—782, 895, 901, 949, 995.

384 to incorporate the borough of Laurel Springs—790, 830, 840, 895, 907, 1001.

385 providing for the recording of votes and actions of governing bodies in all towns of this state—823, 990, 991, 1006, 1023.

386 to authorize the board of fish and game commissioners to cooperate with the department of fisheries of the commonwealth of Pennsylvania, in the propagation of shad and other food and game fish, for stocking the river Delaware, and making an appropriation for that purpose—829, 863, 915, 961, 1037.

387 concerning towns—830.

388 to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three—830, 902, 903, 949, 1013

389 to annex and consolidate with the township of Linden the mayor and council of the borough of Linden—831

390 to annex a portion of the borough of North Caldwell to the borough of West Caldwell, in the county of Essex, in the state of New Jersey—831, 832, 844, 915, 964.

391 to amend an act entitled "An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within this state," approved March twenty-eighth, nineteen hundred and four—831, 846, 857, 895, 964.

392 An act to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three—838, 876, 880, 915, 987, 1037.

393 entitled "An act for the punishment of crimes (Revision of 1898)." A supplement to—839, 920, 923, 949, 951, 1006, 1067.

394 to set off territory from the borough of Highlands, in the county of Monmouth, and annex the same to the township of Middletown, in said county—839.

395 entitled "An act to amend the law relating to the property of married women (Revision)," approved March twenty-seventh, one thousand eight hundred and seventy-four A supplement to—840, 904, 949, 1067.

396 to provide for the appointment of a commission to revise and codify the law relating to master and servant—845, 902, 903, 949, 968, 1057.

397 entitled "An act respecting conveyances (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight. A further supplement to—856, 902, 903, 949, 960.

398 entitled "An act to revise and amend 'An act for the taxation of railroad and canal property,' approved April tenth, one thousand eight hundred and eighty-four," which act was approved March twenty-seventh, one thousand eight hundred and eighty-eight. A further supplement to—862.

399 to appropriate money for ceremonies attending the unveiling of certain tablets or monuments erected on the battle grounds of Elizabethtown, Connecticut Farms and Springfield—863, 920, 924, 949, 986, 1037.

400 entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three. A supplement to—867, 908, 909, 949, 1012, 1037.

401 to defray the incidental expenses of the Legislature of New Jersey, for the session of one thousand nine hundred and five—872, 934, 938, 962, 972, 1033.

402 entitled "An act defining motor vehicles and providing for the registration of the same and uniform rules regulating the use and speed thereof," approved March twenty-third, nineteen hundred and three. A supplement to—900.

403 to change the name of Jennie Paullin Jaggers—900, 901, 1037.

Senate Bills.

2 An act entitled "An act to provide for assistant prosecutors in the several counties of this state," approved April third, one thousand nine hundred and two. A supplement to—398, 400, 440, 441, 464, 465.

3 appropriating the sum of five hundred dollars towards the erection of a monument to commemorate the battle of Monocacy, Maryland, fought July ninth, one thousand eight hundred and sixty-four—282, 283, 335, 343, 376.

6 to repeal an act entitled "An act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the palisades of the Hudson, and for the purpose herein specified," approved March fifth, one thousand eight hundred and ninety-six—282, 283, 519, 523, 618.

7 entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or rents, in towns, townships and 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 assessment," approved May eighteenth, one thousand eight hundred and ninety-eight. A supplement to—443, 444, 507, 510, 619.

8 entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three. A supplement to—443, 444, 847, 858, 915, 959

9 to amend an act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, one thousand eight hundred and ninety-six—293, 443, 444, 931, 939, 1028

10 for extending the time for completing certain railroads—301, 313, 315, 344.

12 to reduce the number of members of boards of water commissioners in certain cities of this state and to provide for the appointment of the members of said boards, and to prescribe their powers and duties—354.

14 to provide for the appointment of an assessor of taxes in certain cities of this state, and fixing the time for making assessments and prescribing his duties—581, 583, 672, 687, 715.

15 to amend an act entitled "An act to enable boards having control of the water-supply in the cities of this state to construct reservoirs for the storage of water," approved February twenty-fifth, one thousand eight hundred and ninety-two—282, 283, 351, 353, 401, 402, 450.

16 An act to amend an act entitled "A general act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven—647, 649, 657, 670, 714.

17 to amend an act entitled "An act concerning building and loan associations," approved April eighth, one thousand nine hundred and three—282, 283, 1068.

18 entitled "An act to provide for the planting and care of shade trees on the highways of the municipalities of this state." A supplement to—480, 489, 617, 622, 775.

19 to repeal an act entitled "An act for the licensing and taxation of foreign corporations," approved March twenty-ninth, one thousand nine hundred and four—282, 284, 424, 425, 568.

20 entitled "An act to incorporate the chosen freeholders in the respective counties of this state," approved April sixteenth, eighteen hundred and forty-six. A supplement to—282, 284, 325, 326, 347.

21 authorizing boroughs to cause an extension, or addition, to be made to sewer and water systems, or either, by ordinance, and providing for the issue of bonds to pay the costs thereof—319, 320, 367, 376, 379.

22 authorizing boroughs bordering on the Atlantic ocean and owning certain land to lease the same—664, 665, 689, 691, 715, 716.

23 entitled "An act to reduce the number of members of the boards of chosen freeholders in counties of this state, and to fix the salaries and provide for the election of the members of said boards," approved March twenty-six, one thousand nine hundred and two. A supplement to—282, 284, 395, 403, 420.

24 to repeal an act entitled "An act concerning official fees and rendering an account thereof," approved March fourteenth, one thousand eight hundred and seventy-nine, and to release penalties incurred thereunder—283, 284, 783, 790, 888.

26 to incorporate the borough of Orvil, in the county of Bergen—454, 464, 467, 472.

27 to incorporate the borough of Norwood, in the county of Bergen—443, 444, 466, 467, 473.

30 for the regulation, protection and control of the planting, cultivating and the gathering or taking of oysters and clams on lands covered with water in Shark river, in the county of Monmouth—320, 368, 376, 451.

31 to amend an act entitled "An act providing for a chief clerk or secretary to the board of tax commissioners, or board of assessment and revision of taxes in cities of the first class," approved March seventh, one thousand eight hundred and ninety-three—443, 445, 494, 498, 620, 860, 999, 1003, 1005, 1048.

32 to amend an act entitled "An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in cities of this state, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments"—443, 445, 494, 498, 529, 536, 566, 573, 621.

34 An act to enable cities of this state to acquire, by purchase or condemnation, rights of way through, on, across and along private property of others for the purpose of constructing and maintaining in and along said right of way a sewer or sewers forming a part of or used in connection with the sewer system of said city—293, 301, 332, 343, 352, 377.

36 entitled "A general act relating to boroughs" (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven. A supplement to—345, 348, 611, 615, 684.

40 entitled "An act concerning district courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight. A supplement to—320, 379, 382, 386, 447.

41 to incorporate Port Republic as a city and fix the boundaries thereof—283, 284, 332, 343, 362.

42 to consolidate with and annex to the city of Newark, in the county of Essex, the territory embraced within the bounds of the town of Bloomfield, in the county of Essex; provided a majority of the votes cast in the said town upon the question of such annexation and consolidation shall be in favor thereof, and the mayor and common council of said city shall consent thereto—301, 364, 1068.

43 entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three. A supplement to—346, 349, 417, 420, 568.

44 to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three—881, 902, 907, 1030, 1031.

45 entitled "An act to provide for the permanent improvement of public roads in this state," approved April first, one thousand nine hundred and three. A supplement to—398, 400, 417, 420, 1068.

47 to appropriate money for the erection of a memorial monolith, commemorative of the state of New Jersey as one of the thirteen original states, to be placed in the memorial portico of the memorial continental hall, about to be erected in the city of Washington, in the District of Columbia, under the auspices of the Daughters of the American Revolution—398, 400, 427, 429, 773.

50 entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-one. A supplement to—524, 525, 610, 614, 771.

51 entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying in the tidal waters of the Delaware Bay and Maurice River Cove, in the state of New Jersey," approved March twenty-fourth, one thousand eight hundred and ninety-nine. A supplement to—524, 525, 610, 614, 772.

52 concerning free public libraries in all cities, boroughs, towns, townships and villages of this state (Revision of 1905)—851, 853, 929, 939, 1007.

53 to incorporate the borough of Bloomsbury, in the county of Hunterdon—581, 583, 665, 670, 821.

54 An act to create the office of commissioner of charities and corrections, and to define his powers and duties—398, 400, 519, 523, 656.

55 to repeal the sundry acts respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates—398, 400, 783, 791, 1047.

56 to amend an act entitled "An act respecting the orphans' court, and relating to the powers and duties of the ordinary, and the orphans' court and surrogates" (Revision 1898), approved June fourteenth, one thousand eight hundred and ninety-eight—664, 665, 1012, 1018, 1051.

57 to repeal sundry acts concerning executors, and administration of intestates' estates—398, 400, 721, 722, 1047.

58 concerning corporations of this state organized for religious, educational, charitable or benevolent purposes—480, 489, 779, 790, 984

59 entitled "An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, nineteen hundred and five," approved April fifth, nineteen hundred and four. A supplement to —346, 349, 387, 393, 422.

61 to authorize any city, or other municipality, where a street railroad has laid in part of any of its streets or avenues, and said railroad company has paved and maintains a certain space through the part of such street or avenue where its railroad is laid, to lay out and maintain as a lawn or arbor through any other part of such street or avenue (where such railroad is not laid), when the rest of such other part of the street or avenue is to be paved, and to provide for the cost and maintenance of said lawn or arbor—851, 854, 859, 940.

63 to amend an act entitled "An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates," approved June fourteenth, one thousand eight hundred and ninety-eight—481, 490, 681, 687, 974

65 to provide for the appointment of a commission to revise and codify the laws of this state relative to corporations—346, 349, 427, 430, 502 .

67 annexing a portion of the borough of Sea Isle City, in Cape May county, New Jersey, to Upper township, in said county—443, 445, 485, 488, 652, 881, 944, 945

68 to establish a state reformatory for women, to provide for the government thereof and the commitment thereto of women convicted of crimes and other offenses—647, 649, 1068

69 providing for the appointment and election of an overseer of the poor in cities of this state, in which the power is not conferred by the charter of such cities, and providing for their compensation—398, 400, 464, 465, 466.

71 to amend an act entitled "An amendment to an act entitled 'An act for the punishment of crimes,' approved June the fourteenth, eighteen hundred and ninety-eight (Revision of 1898)," approved March twenty-second, one thousand nine hundred and one—398, 400, 426, 429, 1024.

74 authorizing cities bordering upon the Atlantic ocean to make improvements on any lands bordering on said ocean owned by and within the limits of any such city for public purposes, and to issue bonds for any such purpose—581, 584, 633, 638, 701, 702.

75 An act authorizing cities to make additions or extensions to any sewer system owned and operated by any city, and to rebuild the same, and providing for the payment of the cost of any such improvement—581, 585, 633, 637, 701, 702

79 entitled "An act relating to, regulating and providing for the government of cities," approved April third, one thousand nine hundred and two. A supplement to—524, 525, 606, 614, 709.

80 to amend an act entitled "A supplement to an act directing the descent of real estate, approved April sixteenth, one thousand eight hundred and forty-six," approved March ninth, eighteen hundred and seventy-seven—664, 665, 783, 791, 978

81 to amend an act entitled "An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight—664, 666, 783, 791, 979.

83 to prohibit corporations from making political contributions—859.

84 to authorize the councils of the boroughs in this state to regulate places lawfully licensed for the sales of spirituous, vinous, malt and other intoxicating liquors, and to prohibit the sales of such liquors in places not lawfully licensed therefor—647, 649, 867, 915, 959

85 to amend an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three—481, 490, 512, 522, 708.

86 to enable cities to appropriate moneys for the proper celebration of their semi-centennial and centennial anniversaries as cities—444, 445, 485, 488, 489.

91 for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Atlantic in the state of New Jersey—851, 852, 859, 879.

92 to regulate the practice of osteopathy in the state of New Jersey and to provide for a state board of osteopathic examiners and to license osteopathic physicians to practice in this state, and punish persons violating the provisions of this act—993, 1022, 1068.

94 to extend the territorial boundaries of borough of Sea Isle City, in the county of Cape May and state of New Jersey, by the annexation of portions of the townships of Dennis and Upper—444, 445, 485, 488, 655 .

95 authorizing the New Jersey commission to the Louisiana Purchase Exposition, held at St. Louis in 1904, to remove from St. Louis the New Jersey state building and to re-erect the same on the state grounds at Sea Girt and to furnish the same—918, 976, 982, 983.

99 to preserve and maintain the lakes, ponds, brooks, creeks and streams of this state, and to prevent the waters thereof from being carried by pipes, conduits, ditches or canals into other states, for use therein, and to authorize the court of chancery to assist in the observance of this act—481, 490, 899, 906, 985.

100 entitled "A further supplement to an act entitled 'An act to regulate elections' (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," approved April fourteenth, nineteen hundred and three. A supplement to—581, 584, 676, 687, 1030.

101 An act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, constituting chapter two hundred and eight of the session laws of one thousand nine hundred and three. A supplement to—481, 490, 512, 523, 607, 609, 687, 719, 892, 1068.

104 to amend the negotiable instrument law relative to the payment of forged checks—851, 854, 921, 923, 1068

105 to regulate the duties of tax commissioners in cities and to provide for their compensation—647, 649, 717, 720, 771.

107 to incorporate the borough of Highland Park, in the county of Middlesex—581, 584, 622, 623, 624.

108 entitled "An act to incorporate and regulate telegraph companies," approved April ninth, one thousand eight hundred and seventy-five. Supplement to—851, 852, 931, 939, 983.

109 entitled "An act to incorporate and regulate telegraph companies," approved April ninth, one thousand eight hundred and seventy-five Supplement to—951, 955, 1011, 1017, 1068.

110 entitled "A general act relating to boroughs (Revision of 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven. A supplement to—664, 666, 689, 691, 887.

111 entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters on lands lying under the tidal waters of the Delaware bay and Maurice river cove, in the state of New Jersey," approved March twenty-fourth, eighteen hundred and ninety-nine. A supplement to—481, 490, 527, 566, 640.

115 entitled "An act respecting the orphans' court, and relating to the powers and duties of the ordinary and the orphans' court and surrogates (Revision)," approved June fourteenth, one thousand eight hundred and ninety-eight. A supplement to—664, 666, 783, 791, 978.

116 to provide for increasing the capacity of the state prison—481, 491, 837, 845, 975.

117 to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903)," approved April fourteenth, A. D. one thousand nine hundred and three—764, 767, 839, 844, 1068.

118 entitled "An act for the protection of certain kinds of birds, game and fish, to regulate their method of capture, and provide open and close seasons for such capture and possession (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three. A further supplement to—926, 1069.

119 to amend an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, A. D. one thousand eight hundred and ninety-seven—581, 585, 631, 637, 891.

120 entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven. A supplement to—581, 585, 631, 637, 891

122 An act concerning savings banks, approved April twenty-first, one thousand eight hundred and seventy-six. A supplement to—582, 585, 706, 707, 937.

125 to authorize cities in this state to issue and dispose of bondss, to take up and pay off other bonds about to mature, to pay which no funds have been otherwise provided—454, 455, 485, 488, 491, 492.

126 to amend an act entitled "An act to secure the purity of foods, beverages, confectionery condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof," approved March twenty-first, one thousand nine hundred and one—764, 767, 934, 939, 988.

127 entitled "A supplement to an act entitled 'An act concerning idiots and lunatics,' approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March fifteenth, one thousand eight hundred and ninety-eight. An amendment to—851, 852, 991, 992, 1020.

128 entitled "An act concerning the removal of trust property out of this state and providing proceedings therefor," approved March sixth, one thousand eight hundred and eighty-six. A supplement to—852, 853, 943, 945, 988.

129 to provide for the permanent improvement of public roads in this state (Revision of 1905)—524, 525, 540, 593, 595, 616, 716.

130 to provide for the appointment of a commission to report to the governor and legislature some method of improving the judicial system and the system of procedure of this state—581, 584, 784, 792, 974.

131 to amend a supplement to an act entitled "A general act relating to boroughs (Revision of 1897)," which supplement was approved April seventh, one thousand eight hundred and ninety-eight—524, 525, 573, 575, 695, 861, 948, 950, 951, 954, 998.

140 entitled "An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four. Supplement to—524, 525, 750, 753, 934.

141 entitled "An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants," approved March twenty-fourth, one thousand eight hundred and ninety-seven. An amendment to—664, 666, 747, 753, 919.

143 to amend an act entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey," approved March twenty-sixth, nineteen hundred and two—696, 697, 729, 816.

145 entitled "An act for the better regulation and control of the taking, planting and cultivating of oysters and clams on lands lying under the tidal waters of the county of Ocean, in the state of New Jersey," approved March twenty-sixth, one thousand nine hundred and two. Supplement to—647, 649, 690, 692, 816.

148 An act authorizing the sale of land granted or devised to religious associations or to corporations formed or existing for the purpose of education, or to officers or trustees of such corporations, in certain cases—524, 525, 746, 778, 804.

149 for the relief of the New Jersey state hospital at Trenton, and to provide additional accommodation for the insane of this state—524, 525, 920, 923, 988.

150 to provide for the census or enumeration of the inhabitants of this state—696, 697, 743, 746, 773.

151 to amend an act entitled "An act concerning railroads (Revision of 1903)," approved April fourteenth, nineteen hundred and three—647, 650, 755, 760, 845.

152 to create a new township in the county of Burlington, to be called the township of North Hanover—665, 667, 840, 844, 907.

155 to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this state," approved April third, one thousand nine hundred and two—582, 585, 860

156 to amend an act entitled "A further supplement to an act entitled 'An act to amend an act entitled "A further supplement to an act entitled 'A supplement to an act entitled "An act to regulate fishing with seines in Barnegat Bay,"' passed February seventeenth, one thousand eight hundred and forty-two," which supplement was approved April twenty-first, one thousand eight hundred and seventy-six,' and said amendatory act approved May fourteenth, one thousand eight hundred and ninety-four," and which further supplement was approved April nineteenth, one thousand eight hundred and ninety-eight, and which further amendatory act was approved March twenty-second, one thousand nine hundred—582, 585, 632, 637, 892, 935

157 to amend an act entitled "An act to regulate the sale of spirituous, vinous, malt and brewed liquors, and to repeal an act entitled 'An act to regulate the sale of intoxicating and brewed liquors,' passed March seventh, one thousand eight hundred and eighty-eight," approved March twentieth, one thousand eight hundred and eighty-nine—510, 517, 518.

158 concerning the election and incorporation of the trustees and the management of the temporal affairs of Christian congregations connected with the Presbyterian church in the United States of America—647, 650, 703, 707, 889.

162 to secure to mechanics and others payment for their labor and materials in erecting any building (Revision of 1898). An amendment to—765, 767, 992, 1069.

163 entitled "An act concerning district courts (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight. A supplement to—647, 650, 784, 792, 889.

165 regulating the making of contracts in cities of the first class in this state, and the expending of money therein—765, 767, 846, 859, 1069

168 to authorize cities which have heretofore adopted, or which shall hereafter adopt, the provisions of an act entitled "An act relating to regulating and providing for the government of cities," approved April third, anno domini one thousand nine hundred and two, to authorize the bridging of their streets under certain circumstances—647, 650, 672, 686, 708

169 An act entitled "An act relative to sales of land under a public statute, or by virtue of any judicial proceedings" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four. A further supplement to—726, 728, 855, 856, 936, 1069.

170 to amend an act entitled "An act directing the descent of real estates," approved April sixteenth, one thousand eight hundred and forty-seven—851, 854, 1038, 1054.

171 to amend an act entitled "A supplement to an act entitled 'An act to authorize the incorporation of rural cemetery associations, and to regulate cemeteries' (Revision), approved April ninth, one thousand eight hundred and seventy-five," which supplement was approved March twenty-fifth, one thousand eight hundred and eighty-five, approved April eleventh, one thousand nine hundred and four—726, 728, 733, 736, 780.

172 to amend an act entitled "An act to establish the office of register of deeds and mortgages in certain counties of this state," approved March seventh, one thousand nine hundred and four—581, 584, 721, 722, 908.

173 to provide means for protection against fires in the territory of any incorporated camp-meeting association in this state—664, 666, 692, 694, 743.

174 prescribing the manner in which a newly created fire district shall succeed to and take certain of the assets and liabilities of and other fire district out of which it is created—665, 667, 692, 694, 743.

175 to provide for surveying and marking the boundaries of cities, townships, boroughs and other municipalities in the state of New Jersey—727, 728, 816, 822, 987, 988, 1069.

176 to provide for the purchase of voting machines, and to regulate the use of the same at elections—852, 853, 873, 882, 915, 958.

178 providing for the appointment of clerks to recorders in certain cities of the second class in this state and defining their duties—864, 865, 925, 1021.

182 entitled "An act relating to, regulating and providing for government of cities," approved April third, one thousand nine hundred and two. A supplement to—582, 583, 586, 587.

183 entitled "An act relating to and providing for the government of cities in this state containing a population of less than twelve thousand inhabitants," approved March twenty-fourth, one thousand eight hundred and ninety-seven. A supplement to—648, 650, 860, 920

185 to amend an act entitled "An act to regulate elections," approved April fourth, one thousand eight hundred and ninety-eight—765, 767, 815, 821, 972

186 entitled "An act to regulate elections," approved April fourth, one thousand eight hundred and ninety-eight. Supplement to—765, 768, 815, 821, 975.

187 entitled "An act concerning townships (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine. A further supplement to—864, 865, 1006, 1007, 1050.

188 entitled "An act respecting the compensation of the chancellor and the justices of the supreme court of this state," approved March fourteenth, one thousand eight hundred and seventy-nine. A further supplement to—918, 921, 1069.

190 An act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment," passed March thirtieth, one thousand eight hundred and eighty-six. A further supplement to—952, 955, 997, 1003, 1039, 1048.

191 entitled "An act to secure purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof," approved March twenty-first, one thousand nine hundred and one. A further supplement to—884, 896, 1049, 1052.

193 respecting soldiers' monuments—765, 768, 804, 814, 890.

194 relative to the care of female insane patients—852, 853, 880, 882, 976.

195 entitled "An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this state," approved April third, one thousand nine hundred and two. A supplement to—918, 922, 1069.

196 to authorize an annual conference of state and local health officers, sanitary inspectors and delegates from local boards of health—852, 1017, 1021, 1069.

200 to amend section seventy-eight of an act relating to courts having criminal jurisdiction, and regulating proceedings in criminal cases" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight—884, 896, 1012, 1018, 1069.

203 concerning inns and taverns and the sale of intoxicating liquors 884, 896

204 to ratify and confirm a compact or agreement between the states of New Jersey and Delaware respecting the Delaware river and bay, and to authorize the execution thereof—696, 698, 699.

205 authorizing the appointment in counties of the first class in this state of an interpreter of the Polish and Russian languages to the court of common pleas, circuit court, orphans' court, court of general quarter sessions of the peace, court of special sessions, and the public offices connected therewith, and fixing the salary of such interpreter—765, 768, 990, 991, 1027.

206 providing for the widening of certain county roads—852, 853, 873, 882, 977.

207 entitled "An act relating to, regulating and providing for the government of cities," approved April third, nineteen hundred and two. A supplement to—884, 896, 929, 938, 976

208 to establish criminal courts of record in municipalities in counties of the first class, upon the recommendation of the prosecutor of the pleas of such counties and regulating the jurisdiction, duties and powers of such courts—884, 896, 904, 966.

209 entitled "An act to incorporate associations not for pecuniary profit," approved April twenty-first, eighteen hundred and ninety-eight. A further supplement to—884, 896, 910, 971.

210 to provide for an official stenographer for the orphans' court in counties of the first class—884, 897, 932, 939, 1069.

211 An act entitled "An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same," approved March second, one thousand eight hundred and seventy. A supplement to—884, 897, 935, 998, 1070

213 concerning the selecting, drawing and summoning of grand and petit jurors—1042.

215 to amend an act entitled "An act to prevent trespassing with guns," approved March fourteenth, eighteen hundred and ninety-five—918, 922, 1006, 1007, 1070

217 to repeal an act entitled "An act to provide for payment of improvement certificates issued by, or on behalf of, for, or on behalf, such municipalities where assessments have not been collected, or where there is not sufficient of said assessment available to pay said certificates," approved April eighth, one thousand nine hundred and three—885, 897, 997, 1003, 1029

220 to amend an act entitled "An act to compel the determination of drains to real estate in certain cases and to quiet the title to the same," approved March second, one thousand eight hundred and seventy—885, 897, 921, 923, 1070

221 to authorize incorporated cities, boroughs, towns, villages and townships of this state to borrow money and negotiate temporary loans in anticipation of the receipt of taxes and assessments, and to secure the repayment of the moneys so borrowed—918, 922.

223 concerning the division of wards in cities of the second class in this state—919, 921, 922, 923, 929.

224 entitled "An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four. A further supplement to—919, 922, 973, 991.

226 entitled "An act respecting constables." A further supplement to —993, 995, 1006, 1007, 1028, 1070.

229 to authorize incorporated towns and townships to construct sewers, drains and a sewerage disposal plant or plants, and to provide for the payment and cost thereof—885, 897, 899, 906, 940.

230 entitled "An act for the punishment of crimes" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight. A further supplement to—945, 946, 952, 955, 1018.

231 entitled "An act to authorize the incorporation of rural cemetery associations and to regulate cemeteries" (Revision), approved April ninth, eighteen hundred and seventy-five. A further supplement to—919, 922, 973, 989, 990.

232 entitled "A further supplement to the act entitled 'An act to establish in this state board of health and bureau of vital statistics, and to define their respective powers and duties,' approved March thirty-first, one thousand eight hundred and eighty-seven," which said supplement was approved April eighth, one thousand nine hundred and three. An amendment to—952, 955, 1070.

234 appointing three commissioners on the part of the state of New Jersey to confer with three commissioners to be appointed on the part of the state of Delaware, in accordance with the provisions of the compact between the states of New Jersey and Delaware respecting the Delaware river and bay, defining their duties and powers, and appropriating money to pay the necessary expenses thereof—926, 927, 945, 946, 1019

235 An act entitled "An act concerning building and loan associations," approved April eighth, A. D one thousand nine hundred and three, which supplement was approved March seventh, one thousand nine hundred and four. A further supplement to—952, 955, 1017, 1049

236 entitled "An act for the better protection of hotel, inn and boarding-house keepers," approved April sixth, one thousand eight hundred and sixty-five. A further supplement to—952, 956, 997, 1004.

238 to amend an act entitled "An act to regulate elections," approved April fourth, eighteen hundred and ninety-eight—993, 995, 998, 1004, 1050.

239 to amend an act entitled "An act relating to newly created municipalities," approved April twenty-fourth, eighteen hundred and ninety-eight—993, 995, 1022, 1051, 1052.

240 entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight. A supplement to—952, 956, 973, 980, 981.

241 to amend an act entitled "An act to increase the efficiency of the public school system of the state by providing for additional free scholarships at the state agricultural college," passed March thirty-first, one thousand eight hundred and ninety—951, 954, 959, 991, 1026.

242 entitled "An act to establish and regulate the state home for girls (Revision of 1900)," approved March twenty-third, one thousand nine hundred. A supplement to—952, 956, 973, 979, 980.

243 fixing the compensation of comptrollers in cities of this state—1022, 1023, 1029, 1043.

244 to change the name of Francis Xavier Krupp—999, 1003, 1005, 1020, 1046.

246 entitled "An act making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and five," approved April fifth, one thousand nine hundred and four. A supplement to—1022, 1023, 1025.

247 making appropriations for the support of the state government and for several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and six—1022, 1023, 1025, 1026.

Assembly Joint Resolutions.

1 Joint resolution as to the records of soldiers of this State on the Northwestern Frontiers, 1791; the war with France, 1798-1801; the war with Tripoli, 1801-1805; the war with Algiers, 1815; the war with Spain, 1898-1899; the Philippine Insurrection, 1899-1901, and the China relief expedition, 1900-1901—361, 366, 371, 372, 385, 728

2 to promote the equalization of taxes—863, 910, 941, 998, 1006, 1054.

Senate Joint Resolutions.

2 Joint resolution entitled "Joint resolution relating to the boundary controversy between the States of New Jersey and Delaware."—286, 287.

3 entitled "Joint resolution authorizing and providing for the appointment of a commission to investigate and report upon the existing turnpikes, pay or toll roads in this State, with the view of converting the same into free public roads"—399, 401, 417, 420, 481.

5 entitled "Joint resolution authorizing the appointment of a commission to consider and report on the advisability of further legislation for the control and proper regulation of the teachers' retirement fund"—885, 897, 900, 906, 932, 933, 998, 1037.

6 entitled "Joint resolution authorizing the appointment of a commission to report on a necessity or advisability of revising or codifying the poor laws"—918, 921, 992, 1032.

Assembly Concurrent Resolutions.

Concurrent resolution—By Mr. Lehlbach (the Senate concurring), That the Senate and General Assembly of New Jersey, meet in joint session on Tuesday, the thirty-first day of January, at 12 o'clock noon, for the purpose of electing a State Treasurer, a State Comptroller and a State Director of Railroads—73.

By Mr Colby—WHEREAS, A strong and urgent sentiment is growing counter to the general practice of municipalities granting to public utility corporations perpetual and unlimited franchises, and without proper compensation to said municipalities for such grants; and WHEREAS, The general principle upon which such grants are made is fundamentally wrong in theory and fact, and is so recognized by the best authorities upon municipal government and administration; and WHEREAS, This problem, vital as it is to the welfare of every community, should receive the most careful consideration of the people's representatives in legislative session assembled; now therefore, be it *Resolved* (the Senate concurring), That pending possible legislation and the final, fair and equitable adjustment of all interests involved, it is the sentiment of the Senate and General Assembly of this State, that all franchises granted in perpetuity to public utility corporations, are wrong in principle; anticipating conditions impossible to forecast, and depriving future generations of their just rights, and are therefore unfair and wrong, and in every respect contrary to public policy—95, 294, 299, 399.

By Mr. Robbins (the Senate concurring), That the Senators and Representatives of the State of New Jersey, in the Congress of the United States, be requested to secure, if possible, the immediate enactment of legislation providing for the consolidation of third and fourth class mail matter, at the uniform rate of one cent for each two ounces, or fraction thereof (one-half of the present merchandise rate), as recommended by the Post-Office Department—331, 332.

By Mr. Duffield—WHEREAS, Richard A. Donnelly, Quartermaster-General of the State of New Jersey, died in the city of Trenton, on February twenty-seven, one thousand nine hundred and five; and WHEREAS, For fifteen years, General Donnelly gave loyal and intelligent service to this State as Quartermaster-General; and WHEREAS, His service to his country as a volunteer in the Civil War, his devotion to public duty, his sterling worth as a man

commend him to the commonwealth as having been a fine type of American citizenship; *Resolved* (the Senate concurring), That the Legislature of New Jersey deplores the loss the State sustains in General Donnelly's death; and *Resolved,* That the Legislature extends its sympathy and condolence to the bereaved family; and *Resolved,* That a copy of this resolution be sent to the widow of the deceased—461, 503.

Concurrent resolution—By Mr Duffield (the Senate concurring), That the Governor be requested to return to the House of Assembly, Assembly Bill No. 48, for further consideration—474, 480.

By Mr. Coyne—WHEREAS, By a brilliant and successful charge at a critical moment in the battle of Newbern, North Carolina, March 4th, 1862, the Ninth New Jersey Volunteers captured within the Confederate works a beautiful flag bearing the inscription: "Beaufort Plow-Boys, Presented by the Ladies of Beaufort, N. C.," and WHEREAS, The commanding general, in recognition of the valiant services rendered by the Ninth in the battle, permitted the regiment to retain the color, which was subsequently forwarded as a trophy to the State authorities, and is now in the possession of the Adjutant-General; and WHEREAS, An appropriation of $5,000 was made by the last Legislature for a monument to be erected to the Ninth New Jersey's dead, in the National Cemetery, at Newbern, as a tribute to their heroism, which monument will be dedicated in May next; and WHEREAS, In view of the existing feelings of regard and affection between the States of North Carolina and New Jersey, it would be appropriate and fitting when the ceremony takes place, to present to the Governor of North Carolina the captured color, that it may be returned by him to the survivors of the "Plow-Boys," or the "Ladies of Beaufort"; therefore, be it *Resolved* (the Senate concurring), That the Governor of this State is hereby authorized to return to the Governor of North Carolina at such time and place as he may deem appropriate the flag herein referred to, and now in possession of the Adjutant-General of the State of New Jersey—504, 527, 902, 994.

By Mr Layden—WHEREAS, The representatives of the people of these United States in Congress, as well as in our State Legislatures, should be chosen by the direct vote of the people; and WHEREAS, The Constitution of the United States makes a different provision in regard to the members to compose the Senate of the United States; now, therefore, be it *Resolved* (the Senate concurring), That it is the will and wish of the people of the State of New Jersey, that paragraph one, of section three, of article one, of the Constitution of the United States be amended in such a way that it shall provide that the Senate of the United States shall be composed of two Senators from each State, to be chosen by the legal voters of such State, at an election held for that

purpose; and be it further *Resolved*, That the representatives of the State of New Jersey, in the Congress of the United States, be and they are hereby requested to advocate such an amendment; and be it further *Resolved*, That a copy of these resolutions, duly attested by the Clerk of the House be forwarded to each Representative of this State in the Congress of the United States—505.

Concurrent resolution—By Mr. Layden (the Senate concurring), That Assembly Committee Substitute for Assembly bills numbers two (2) and twenty-five (25), which has passed both houses of this Legislature, and is now in the hands of the Governor, be returned to this House for further consideration—556, 596.

By Mr. Miller (the Senate concurring), That the Governor be requested to return to the House of Assembly, Assembly Bill No. 90, for further consideration—556, 596.

By Mr. Elvins (the Senate concurring), That the Governor be requested to return to the House of Assembly, Assembly Bill No. 94, for further consideration—592, 629.

By Mr. Duffield—WHEREAS, A bill has been this day introduced in the House of Assembly, providing for the participation by the State of New Jersey in the Jamestown Ter-Centennial Exposition, to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year of nineteen hundred and seven; and, WHEREAS, The President of the Jamestown Exposition Company is that distinguished soldier and citizen, General Fitzhugh Lee, of Virginia; and, WHEREAS, The members of the Legislature of the State of New Jersey would be glad to have General Lee address them upon the subject of the first permanent settlement in America by English-speaking people at Jamestown, Virginia, and the Exposition which is to be held to commemorate the same; therefore, be it *Resolved*, that the House of Assembly, the Senate concurring, does hereby extend an invitation to General Fitzhugh Lee and his associates from Virginia to address the Legislature of New Jersey, on Tuesday next, March twenty-eighth, one thousand nine hundred and five—705, 823.

By Mr. Duffield (the Senate concurring), That both houses of the Legislature, the Senate and General Assembly, do adjourn *sine die* on Thursday, March thirtieth, A. D. one thousand nine hundred and five, at three o'clock in the afternoon of that day—717, 864.

By Mr. Johnstone—Assembly Concurrent Resolution No. 1, to provide for the appointment of commissioners to further examine into and report upon the question of what legislation, if any, is advisable regarding the Morris canal—750, 781.

By Mr. Scovel (the Senate concurring), That the Governor be requested to return to the House of Assembly, for future consideration, Assembly Bill No. 79—763, 850.

Senate Concurrent Resolutions.

Concurrent resolution—From the Senate—*Resolved* (the House concurring), That a committee of eight, three Senators, and five Assemblymen, be designated by the President of the Senate and Speaker of the House of Assembly, respectively, to make the necessary arrangements for the inauguration of the Honorable Edward Casper Stokes, as Governor of the State of New Jersey—6.

From the Senate—WHEREAS, It has been suggested that there is some conflict in the laws governing the use of voting machines and the laws pertaining to elections; therefore, be it *Resolved* (the House of Assembly concurring), That the Attorney-General, the Secretary of State and the Chairman of the State Voting Machine Commission be designated a commission to investigate and report if such conflict exists and, if so, to advise the present session of the Legislature by bill, or otherwise, what remedies should be adopted—91, 94, 100

No. 2, entitled "Concurrent resolution for the creation of a commission to co-operate with the authorities of the State of Pennsylvania in regard to the propagation of fish in the Delaware river, and the adoption of concurrent laws relating thereto by both States"—399, 401, 628.

Concurring in the request of House of Assembly, asking the Governor to return Assembly Bills No. 2 and 25 and Assembly Bill No. 90—596

From the Senate—Concurring in the request of the House of Assembly, asking the Governor to return Assembly Bill No 94 for further consideration—629

From the Senate—Reconsidering the vote by which Assembly Bill No. 8 passed the Senate, and returning the same to the House of Assembly—769.

From the Senate—Reconsidering the vote by which Assembly Bill No. 114 passed the Senate, and returning the same to the House of Assembly—773.

Concurring in the request of the House of Assembly, asking the Governor to return Assembly Bill No 79 for further consideration—850

From the Senate—Requesting the House of Assembly to return to the Senate, Senate Bill No. 155 for further consideration—860, 861.

From the Senate (the House concurring), That the Governor be requested to return to the Senate, Senate Bill No. 31 for further consideration—860, 861.

Concurrent resolution—From the Senate (the House of Assembly concurring), That the Governor be and he is hereby requested to return to the Senate, Senate Bill No. 131 for further consideration—861.

From the Senate (the House of Assembly concurring), That the Governor be requested to return to the Senate, Senate Bill No. 67 for further consideration—881.

From the Senate, concurring in reconsidering the vote by which Assembly Bill No. 126 was passed, at the request of the House of Assembly—926.

From the Senate—WHEREAS, Senate Bill No. 67, was, by concurrent resolution, recalled from the Governor for further consideration by the Senate, and whereas said bill has not been amended or changed in any particular whatsoever, therefore be it *Resolved* (by the Senate, the House of Assembly concurring), That said Senate Bill No. 67 be returned to the Governor for his consideration—944

Resolutions.

Resolution—By Mr. Duffield—That the reading of the certificates of election of the respective members be dispensed with—1.

By Mr Duffield—That the Honorable William Pennington, of Essex county, who is a Master in Chancery of this State, and a member-elect of this House, administer the oath of office to the Honorable Henry S Scovel, of Camden county, a member-elect, by whom the oath of office shall be administered to the members-elect—1

By Mr Duffield—That the Honorable James M. E Hildreth, of Cape May county, who is a Master in Chancery of this State, and a member-elect of this House, administer the oath of office to the Speaker and other officers when elected—2

By Mr Duffield—That the House do now proceed with the election of Speaker and other officers—3.

By Mr Duffield—That we now proceed to the election of the Clerk of the House—4

By Mr. Duffield—That a committee of three be appointed forthwith by the Speaker to wait upon the Governor, and inform him that the House of Assembly has organized by the election of the Honorable John Boyd Avis, of Gloucester county, as Speaker, and the Honorable James Parker, of Passaic county, as Clerk, and is now ready to proceed to business, and also to receive any communication he may be pleased to make—5.

By Mr. Duffield—That the Clerk of the House be and he is hereby directed to inform the Senate that the House of Assembly has organized by the election of the Honorable John Boyd Avis, of Gloucester county, as Speaker, and the Honorable James Parker, of Passaic county, as Clerk, and has proceeded to business—6.

By Mr. Duffield—That the House now proceed to fill the several positions and that nominations be made and a vote taken for all of the positions at one and the same time—6.

By Mr. Duffield—That the following named persons be and are hereby elected to the several positions set opposite their names: Assistant Clerk, Upton S. Jefferys, of Camden county; Journal Clerk, Robert S. Terhune, of Essex county; Assistant Journal Clerk, Howard B. Keasby, of Salem county; Supervisor of Bills, George A. Grover, of Essex county; First Assistant Supervisor of Bills, Harry A. Gittone, of Cumberland county; Second Assistant Supervisor of Bills, A. Lincoln Scowcrodt, of Passaic county; Sergeant-at-Arms, George B. Lutts, of Atlantic county; First Assistant Sergeant-at-Arms, William S. Dey, of Middlesex county; Second Assistant Sergeant-at-Arms, Alfred J. Hargan, of Essex county; Bill Clerk, Edward Totten, of Morris county; Assistant Bill Clerk, Frederick Bender, of Union county; Assist-

ant to Clerk of House, Reginald Branch, of Burlington county; Assistant to Journal Clerk, Robert J. Cresswell, of Cape May county; Assistant to Supervisor, Seymour H. Francis, of Monmouth county; Doorkeepers—John Seeds, of Burlington county; Warren R Thompson, of Middlesex county; Richard A. Peltier, of Middlesex county; William Paullin, of Cumberland county; William Peacock, of Cumberland county; Harry Kersey, of Mercer county; Charles Lee, of Passaic county; Henry B. Snyder, of Essex county; Arthur V Nungesser, of Essex county, James C Leap, of Gloucester county; William S Morris, of Mercer county; William D. Wilson, Jr., of Camden county; David M. Fowler, of Camden county; Frank Yarnall, of Monmouth county. Pages—Robert McDaniels, of Essex county; John Ashman, Jr., of Essex county; Thomas Higgins, of Essex county; James Crotty, of Essex county; Arthur W Scott, of Hudson county; Frank Dey, of Middlesex county; W. Howard Jeffrey, of Ocean county; Jacob Hempstead, of Passaic county; Charles A Doeringer, of Somerset county; William H. Randolph, Jr, of Union county; Morris Blatt, of Bergen county; Henry Hauenstein, of Bergen county Pages, with Postmasterships—Julius Berkowitz, of Essex county; Charles Z Rowe, of Mercer county. Keepers, Gentlemen's Gallery—Chas L. Ogden, of Camden county; John H McCabe, of Mercer county; Ulysses G Wood, of Burlington county Keepers, Ladies' Gallery—Samuel Leonard, of Morris county, Charles Erving, of Passaic county; James I. McKelvey, of Ocean county—6, 7

Resolution—By Mr. Hamill—That the following named persons be and are hereby elected to the several positions set opposite their names: Assistant Clerk, Frank Hoffman, of Hunterdon county; Journal Clerk, Charles Sharp, of Warren county; Assistant Journal Clerk, Lester Hawk, of Hunterdon county; Supervisor of Bills, John C. Sweeney, of Hudson county; First Assistant Supervisor of Bills, Bert Craig, of Warren county; Second Assistant Supervisor of Bills, John Park, of Hunterdon county; Sergeant-at-Arms, John Welsh, of Hudson county; First Assistant Sergeant-at-Arms, Otto Finke, of Hudson county; Second Assistant Sergeant-at-Arms, Frank Cole, of Hunterdon county; Bill Clerk, E A Tooman, of Hudson county; Assistant Bill Clerk, V. Y. Schooley, of Hunterdon county; Assistant to Clerk of the House, Clinton Kerr, of Warren county; Doorkeepers, John Allen, of Hudson county; Edward Greene, of Hudson county; Edward Lance, of Warren county; John Dillon, of Hudson county; Charles F Murphy, of Hudson county; Samuel J. Burns, of Hudson county, Henry Harris, of Hudson county; Patrick H. O'Neil, of Hudson county; Dennis Dunn, Jr, of Hudson county, John T Sullivan, of Hudson county; Frederick Gassert, of Hudson county; Benjamin Bird, of Warren county; Richard Carrara, of Hudson county Gallery Keepers (Gentlemen)—Jerome Mayer, of Hudson county; Elber Hoffmann, of Hunterdon county; Albert Pittinger, of Warren county; Mansfield Lott, of Hunterdon county Gallery Keepers (Ladies)—Joseph McGirken, of Warren county; Edward Kearney, of Hudson county; John T. Daley, of Hudson county; Adrain Cook, of Warren county. Pages—John McCormick, of Hudson county; Ferdinand Eibell, of Hudson county; Edward Le Gras, of Hudson county; John Malone, of Hudson county; Michael Fitzsherald, of Hudson county, Daniel Caperon, of Hudson county; William P Swing, Jr, of Hudson county; Theodore Dorrs, Jr., of Hudson county; Milton Banburger, of Hudson

county; Leon Behr, of Hudson county; James Daley, of Hudson county; Thomas Heriley, Jr., of Hudson county; Elmer Johnson, of Hudson county, George Keiss, Jr, of Hudson county. Pages, with Postmasterships—Richard Donivan, of Hudson county; James Zoir, of Warren county—8, 9.

Resolution—By Mr. Duffield—That the regular hours of meeting of this House, unless otherwise ordered, be 10·30 o'clock in the forenoon, and 3 o'clock in the afternoon, and 8 o'clock in the evening, when evening sessions are ordered—35.

By Mr Duffield—That the privileges of the floor be and the same are hereby extended to all ex-members of the House—25

By Mr. Duffield—That the rules of the last House of Assembly, as published in the Legislative Manual of 1904, be adopted as the rules of this House until further ordered—25.

By Mr Duffield—That the Speaker be and he is hereby authorized to appoint a committee of three members of this House to be known as Committee on Rules—25

By Mr. Duffield—That a committee of three be appointed to furnish bill-files and minute-files for the use of members and officers of this House—25.

By Mr Duffield—That a committee of three be appointed by the Speaker to procure the attendance of clergymen to open the sessions of this House with prayer—25

By Mr. Duffield—That four hundred copies of all bills be printed for the use of the members of the House and Senate—25

By Mr Duffield—That the Clerk of this House be and he is hereby directed to furnish one hundred copies of Members' Pocket Calendar, Legislature 1905, the same not to exceed in cost one dollar per copy—25

By Mr Duffield—That each member and officer of this House be furnished with five hundred "complimentary slips"—26.

By Mr Duffield—That the Clerk of the House be instructed to furnish the members of the House and representatives of the press with files of the Senate and House bills, introduced and passed by title, printed on gummed paper in suitable form for pasting in the pocket calendar—26

By Mr Duffield—That the same number of copies of the Governor's Message be printed as were printed of the Governor's Message last year—26.

By Mr Duffield—That when the House adjourn it be to meet on Friday morning next at 10 o'clock, and, when then adjourned, it be to meet on Monday evening next at 8 o'clock—26

By Mr Duffield—That the number of copies of the Legislative Manual apportioned by law to the House of Assembly, be distributed by the Sergeant-at-Arms as follows: to each member of the House, eighteen copies; to the Clerk, Assistant Clerk, Journal Clerk, Sergeant-at-Arms, Supervisor of Bills and Speaker's Private Secretary, each six copies; to the Assistant to the Clerk, Assistant Journal Clerk, the Assistant to the Journal Clerk and Assistant Sergeant-at-Arms, each four copies; to the Speaker's Assistant Private Secretary and the Bill Clerk, each three copies; to the Assistant Bill Clerk, Assistant Supervisor of Bills, each two copies; to the clerks of committees, doorkeepers, pages and legislative correspondents and reporters, each one copy—26

Resolution—By Mr. Duffield—That the amendments introduced be either typewritten or written in ink in duplicate and entered in full upon the minutes of the House—33.

By Mr. Duffield—That two hundred extra copies of Assembly bills be printed for distribution—33.

By Mr. Duffield—That the State Printer be instructed to mail to each member of the House, at his home address, at least one copy of each bill and resolution, both Senate and House, as soon as the same is printed—33

By Mr Duffield—That the Attorney-General be and he is hereby requested to advise, at his earliest convenience, the House of Assembly what action, if any, should be taken by it to fill the vacancies made by reason of the death of two members-elect of said House—33

By Mr Duffield—That two hundred copies of the amendments to the rules adopted January 26th, 1904, referring to bracketing and underscoring amendments, be printed for distribution among the members—34

By Mr. Duffield—That the privilege of the floor be extended to the Hon James F. Fielder, a former member of this House from Hudson county—34

By Mr Duffield—That the privilege of the floor be extended to the Hon. James Meiser, a former member of this House—34

By Mr. Duffield—That the privilege of the floor be extended to the Hon. John Dupie, a former member of this House—34

By Mr. Robbins—That the privilege of the floor be extended to the Hon. Charles Wright, a former member of this House—36.

By Mr Duffield—That when the House adjourn, it be to meet on Tuesday morning next at 10:30 A. M—38

By Mr. Baker—That the privilege of the floor be extended to the Hon. Charles R. Whitehead, a former member of this House—37.

By Mr. Pearce—That the privilege of the floor be extended to the Hon. Jonathan Gobel, a former member of this House—37.

By Mr. Coyne—That the privilege of the floor be extended to the Hon. W. F. Hall, a former member of this House—37.

By Mr. Hildreth—That the privilege of the floor be extended to the Hon. William T. Stevens, a former member of this House—37.

Mr. Duffield gave the following notice: There will be a joint caucus of the Republican members of the Senate and Assembly, in the Assembly Chamber, immediately upon the adjournment of the House—39.

By Mr. Duffield—WHEREAS, George H. Embree, Assemblyman-elect from the county of Union, departed this life on the second day of December, nineteen hundred and four, be it *Resolved*, That a writ of election be issued out of the House of Assembly, directed to the voters of the county of Union, directing and enjoining them that they hold an election for member of the General Assembly of the State of New Jersey on the seventh day of February, nineteen hundred and five, to fill the term left vacant by the death of George H. Embree, and that the Speaker of the House of Assembly do sign said writ of election, and that notice of

said writ of election shall be advertised in the Plainfield Courier, Elizabeth Journal and Westfield Leader, at least once before the time set for holding such election—41.

Resolution—By Mr. Duffield—WHEREAS, Jackson R. Decker, Assemblyman-elect from the county of Sussex, departed this life on the eighth day of January, nineteen hundred and five; and WHEREAS, The county of Sussex will be by reason of the death of the said Jackson R. Decker, left without representation in the One Hundred and Twenty-ninth Assembly of the State of New Jersey; therefore, be it *Resolved,* That a writ of election be issued out of the House of Assembly, directed to the voters of the county of Sussex, directing and enjoining them that they hold an election for member of the General Assembly of the State of New Jersey on the seventh day of February, nineteen hundred and five, to fill the term left vacant by the death of Jackson R. Decker, and that the Speaker of the House of Assembly do sign said writ of election, and that notice of said writ of election shall be advertised in the Sussex Register, the New Jersey Herald, the Sussex Independent and the Wantage Recorder, at least once before the time set for holding such election—42.

By Mr. Buck—That the privilege of the floor be extended to the Hon, Thomas Trenchard, a former member of this House—42

By Mr. Duffield—That the House do now take a recess until 11:30 o'clock of this day, to meet at that time at the Taylor Opera House, and that when it then adjourn, it be to meet on Friday morning next at 10 o'clock, and when it then adjourn, it be to meet on Monday evening next at 8 o'clock—42.

By Mr. Hamill—That the privilege of the floor be extended to Mr. Maximilian Klein, of New York—62.

By Mr. Lehlbach—That the usual number of copies of the Governor's Inaugural Address be printed for the use of the House—62.

By Mr. Lehlbach—That Armond C. Brundage be and hereby is appointed a page—62, 76.

By Mr. Lehlbach—That when the House adjourn, it be to meet to-morrow morning at 10·30 A. M.—67.

By Mr. Layden—WHEREAS, A re-classification of mail matter on the reasonable basis of the service rendered is a matter of the greatest importance to the business interests of this Commonwealth; WHEREAS. An extension of the system of carrying merchandise in the United States mail would be of great benefit to, and is desired by, the people of this State; therefore, be it *Resolved,* That the Senators and Representatives from this State in the Congress of the United States are hereby earnestly requested to use every effort to secure the quick enactment of legislation that will at once remedy the evils of the present system of mail classification, and will give to the American people the best merchandise post in the world. *Resolved,* That we request our Senators and Representatives in Congress to support the bill prepared by the Postal Reform League, which bill provides for the consolidation of third and fourth class matter and the extension of the present parcel posts weight limit from four to eleven pounds, with minimum rate of five cents on pound parcel and maximum rate of twenty-five cents on eleven-pound parcel. *Resolved,* That a copy of this resolution be sent to the President of the United States, Postmaster-General and to our members of both Houses of Congress, and to Boies Penrose, Chairman of the

Senate Post-office and Post-road Committee, and to Jesse Overstreet, Chairman of the House Post-office and Post-road Committee—69.

Resolution—By Mr Ernst—That the privilege of the floor be extended to the Hon James F Fielder, a former member of this House, from Hudson county—71.

By Mr Hamill—That the privilege of the floor be extended to the Hon. Steven Egan, County Collector of Hudson county—71.

By Mr. Lehlbach—WHEREAS, The time having come for the election of a Senator in Congress from the State of New Jersey to fill the full term of six years, commencing on the fourth day of March, 1905; be it *Resolved*, That, in accordance with the provisions of the Act of Congress relating to such election, the House of Assembly of the State of New Jersey do now proceed to the election of a Senator in Congress from the State of New Jersey for the full term of six years, commencing on the fourth day of March, 1905—71.

By Mr Lehlbach—That nominations for a Senator in Congress from the State of New Jersey are now in order—71.

By Mr Lehlbach—That when the House adjourn, it be to meet to-morrow morning at 10·30 o'clock—72.

By Mr. Lehlbach—That when the House adjourn, it be to meet on Friday morning at 10 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock—73

By Mr. Lehlbach—WHEREAS, The hour of 12 o'clock meridian, of Wednesday, the twenty-fifth day of January, 1905, having arrived, the time fixed by the Act of Congress, entitled "An act to regulate the time and manner of holding the election of Senator in Congress," for the members of the Senate and General Assembly to convene in joint assembly; be it *Resolved*, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber, for the purpose set forth in the said Act of Congress The hour fixed upon for Joint Meeting having arrived, the President and Senate being announced, the two Houses went into Joint Meeting—75

By Mr. Mattheus—That the privilege of the floor be extended to the Hon Carl G. Schurmann, a former member of this House from the county of Hudson—82

By Mr. Fordyce—That the privilege of the floor be extended to the Hon. Robert Carson, a former member of this House from the county of Middlesex—82.

By Mr Duffield—That when the House adjourn it be to meet at 10.30 A M Tuesday—83

By Mr Marelli—That the privilege of the floor be extended to the Hon Thomas Flynn, a former member and ex-Speaker of this House from Passaic county—84

By Mr Buck—That the privilege of the floor be extended to the Hon. Thomas F Austin, a former member of this House from Cumberland county—84

By Mr Duffield—WHEREAS, The hour of 12 o'clock noon having arrived, the time fixed for the joint meeting of both Houses of the Legislature; *Resolved*, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber The Clerk thereupon informed the Senate that the House awaited its presence in the Assembly Chamber—88

Resolution—By Mr. Duffield—That when the House adjourn, it adjourn to meet Friday morning next, at 10:30 A M, and when it then adjourn it be to meet Monday evening next, at 8 P M—92

By Senator Bradley—That the joint meeting proceed to the election of a State Treasurer, State Comptroller and State Director of Railroads—89

By Mr. Manners—That the privilege of the floor be extended to the Hon. John Howe, a former member of this House, from the county of Essex—93

By Mr Duffield—That when the House adjourn it be to meet to-morrow morning, at 10 30 A M—102

By Mr. Duffield—That the privilege of the floor be extended to the Hon H A Harvey, a former member of this House from the county of Essex—108

By Mr Colby—That the privilege of the floor be extended to the Hon James F Fielder, a former member of this House from Hudson county—109.

By Mr Duffield—That the privilege of the floor be extended to the Hon. Judge Shipman, of the county of Warren—114

By Mr Duffield—That the bond and oath of Frank O. Briggs, State Treasurer, be referred to a special committee of three (3) for examination, which motion was carried—114, 281

By Mr Duffield—That when the House adjourn, it be to meet to-morrow morning, at 10:30 A. M.—119.

By Mr Duffield—That the report transmitted with the Governor's Message relative to assessment and taxation of the property in this State be referred to the Committee on Judiciary, which motion was carried—120

By Mr Duffield—that one thousand copies of the report of the Commission on Assessment and Taxation of the property in this State be printed, and that it be spread in full upon the minutes of the House—120

By Mr Fordyce—That the privilege of the floor be extended to the Hon E C Hicks, a former member of this House from Middlesex county—112

By Mr Duffield—That when the House adjourn, it be to meet on Saturday morning, at 10 o'clock, and that when it then adjourn it be to meet on Tuesday morning next, at 10·30 o'clock—288

By Mr Duffield—That the Hon. William Pennington, of Essex county, who is a Master in Chancery of this State, administer the oath of office to the Hon Randolph Perkins, of Union county a member-elect of this House The oath of office was administered by Mr Pennington to Mr Randolph Perkins, who then signed the oath—289

By Mr Duffield—That further consideration of the concurrent resolution, introduced by Mr Colby on Monday, February 6th, relative to granting perpetual and unlimited franchises to public utility corporations, be postponed until 3 o'clock this afternoon—294.

Resolution—By Mr. Duffield—WHEREAS, The hour of 12 o'clock noon having arrived, the time fixed for the joint meeting of both houses of the Legislature; *Resolved,* That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber. The Clerk thereupon informed the Senate that the House awaited its presence in the Assembly Chamber—295.

On motion of Mr Duffield, the House then took a recess, at 11:55 o'clock A. M, until after the joint meeting—295.

On motion of Mr. Duffield, the House then took a recess until 2.30 o'clock P M.—295.

By Mr. Duffield—That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock A. M.—307.

By Mr. Hamill—That the privilege of the floor be extended to the Hon. James D. Manning, a police justice of Jersey City—308.

By Mr. Hoagland—That the privilege of the floor be extended to the Hon. Edward E. Cooper, a former member of this House—308

By Mr. Reed—That the privilege of the floor be extended to the Hon John A Howland, a former member of this House—308.

On motion of Mr. Duffield, the House then took a recess until 3 o'clock P M—323.

By Mr Duffield—That when the House adjourn, it be to meet on Friday morning at 10:30 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock—330

By Mr. Fordyce—That the privilege of the floor be extended to the Hon. Robert Carson, a former member of this House from the county of Middlesex—331.

By Mr. Hunt—That the privilege of the floor be extended to the Hon. Henry J Blohm, a former member of this House from the county of Salem—331.

By Mr Murphy—That the privilege of the floor be extended to the Hon Timothy J. Carroll, a former member of this House from Hudson county—332

By Mr. Robbins—That the concurrent resolution introduced by him on this date be sent to the Senate at once, which motion was crried—332.

By Mr. Manners—That the privilege of the floor be extended to the Hon John Howe, a former member of this House—342.

By Mr. Duffield—That 500 extra copies of Assembly Bills Nos. 7 and 50 be printed—349.

By Mr Duffield—That when the House adjourn, it adjourn to meet Tuesday morning next at 10:30 A M—349.

By Mr. Marelli—That the privilege of the floor be extended to the Hon Frederick W. Van Blarcom, a former member of this House from the county of Passaic—351.

By Mr. Boucher—That the privilege of the floor be extended to the Hon. George A. Heaney, a former member of this House from the county of Hudson—351

Resolution—By Mr. De Cou—That the privilege of the floor be extended to the Hon. B. L. Gulick, a former member of this House from the county of Mercer—353.

On motion of Mr Duffield, Assembly Joint Resolution No. 1 was referred to the Committee on Judiciary—362.

By Mr. Heck—That the privilege of the floor be extended to the Hon John M. Bell, a former member of this House from the county of Bergen—377.

By Mr Duffield—That when the House adjourn, it adjourn to meet on Friday morning at 10:30 o'clock, and that when it then adjourn it be to meet on Monday evening next at 8 o'clock—380.

By Mr. Colby—That the privilege of the floor be extended to the Hon. William Lord, a former member of this House from the county of Essex—390.

By Mr. Wildrick—That the privilege of the floor be extended to the Hon. Lewis J. Martin, of Sussex county, a former Senator—391.

By Mr. Wilson—That the privilege of the floor be extended to the Hon Edward Gnichtel, a former member of this House from the county of Essex—391.

By Mr. Boucher—That the privilege of the floor be extended to ex-Judge Thomas F Noonan, a former member of this House from Hudson county—391

By Mr. Hunt—That the privilege of the floor be extended to the Hon Joseph B Crispin, a former member of this House from the county of Salem—391

By Mr. Duffield—That when the House adjourn, it be to meet to-morrow morning at 10:30 A. M.—404.

By Mr. Duffield—WHEREAS, The hour of twelve o'clock noon having arrived, the time fixed for the joint meeting of both Houses of the Legislature; *Resolved*, That the Clerk inform the Senate that the House now awaits their presence in the Assembly Chamber—417.

On motion of Mr. Duffield, the House then took a recess until 3:30 o'clock P. M.—425.

By Mr Alexander—That the privilege of the floor be extended to the Hon. J W Rufus Besson, a former member of this House from the county of Hudson—425.

By Mr. Wright—That the privilege of the floor be extended to the Hon. Eugene Emley, a former member of this House from Passaic county—426.

By Mr. Duffield—That the Attorney-General be and he is hereby is requested, at his early convenience, to advise the House of Assembly whether, in his opinion, Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company, and to provide for the disposal of the property of said company," is constitutional, and wherein the aforesaid bill differs from the bill reported by the commissioners heretofore appointed under concurrent resolution of March 31, 1903, to investigate and report upon the abandonment of navigation of the Morris canal. And that he be requested furthermore, to advise the Legislature whether, in his opinion, the said bill

affords adequate protection to the interests of the State in the Morris canal, and if, in his opinion, said bill does not afford adequate protection to the State's interest therein, what amendment or amendments should be made thereto in order to afford such protection—438, 446.

Resolution—By Mr Duffield—That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock—439

By Mr. Hulse—That the privilege of the floor be extended to the Hon Eckford Moore, a former member of this House from Mercer county—450

By Mr Duffield—That fifty additional Legislative Manuals for the year 1905 be provided, to meet the deficiency in the supply for the officers of the House—451.

By Mr Duffield—That when the House adjourn, it be to meet on Friday morning at 10 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock—468.

By Mr. Elvins—That the privilege of the floor be extended to the Hon Frederick Schuchardt, from the county of Atlantic, a former member of this House—469

By Mr Wildrick—That the privilege of the floor be extended to the Hon Lewis F. Iliff, a former member of this House—469.

By Mr Duffield—That 500 extra copies of Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company," be ordered printed—376

By Mr. Pearce—That the privilege of the floor be extended to the Hon Adolf Ernest, a former member of this House—377.

By Mr. Duffield—That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock—483

By Mr. Hamill—That the privilege of the floor be extended to the following gentlemen: James F. Fielder, of Hudson; Hon. Charles L. Moffett, of Union, and Hon Charles F. McDonald, of Monmouth county—484.

By Mr Vanderveer—That the privilege of the floor be extended to the Hon D D Denise, a former member of this House from the county of Monmouth—484

By Mr Reed—That the privilege of the floor be extended to the Hon C Asa Francis, a former member of this House from the county of Monmouth and the present mayor of Long Branch—488.

By Mr Hoagland—That the privilege of the floor be extended to the Hon John Vetterlein, a former member of this House from the county of Somerset—492.

By Mr Scovel—That when the House adjourn, it adjourn until to-morrow at 10:30 o'clock A M—502.

On motion of Mr. Duffield, the Governor's Message and the accompanying report was received, ordered to be spread in full on the minutes, and referred to the Committee on Elections—527.

Mr. Duffield moved that the above message from the Governor be received, spread in full upon the minutes, and referred to the Committee on Bill Revision—528.

Resolution—By Mr Martin—That the State Printer be instructed to mail to each member of the House at his home address weekly one copy of the minutes of votes and proceedings of the General Assembly for such week as soon as the same is printed—539.

By Mr Duffield—That when the House adjourns, it be to meet on Friday morning at 10:30 o'clock, and that when it then adjourn it be to meet on Monday evening at 8 o'clock—539.

By Mr. Duffield—That both the communication of the Attorney-General, Robert H. McCarter, and the opinion of the Hon. Bennett Van Syckel, relative to Assembly Bill No 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company," be spread in full upon the minutes and one thousand copies be ordered printed—541.

By Mr. Loveridge—That the privilege of the floor be extended to the Hon A. A. Rich, a former member of this House from the county of Hudson—556.

By Mr. Ernst—That the prvilege of the floor be extended to the Hon. Samuel S. Swackhamer, a former member of this House from the county of Somerset—570

By Mr. Duffield—That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock—570.

By Mr. Robbins—That the privilege of the floor be extended to the Hon M E Matlack, of Burlington county, a former member of this House—573

By Mr. Wright—That the privilege of the floor be extended to the Hon E. G. Stalter, a former member of this House from Passaic county—574.

By Mr Duff—That the privilege of the floor be extended to the Hon. William T Hoffman, a former member of this House from the county of Monmouth—577.

By Mr Duff—That the privilege of the floor be extended to the Hon David W. Lawrence, a former member of this House from the county of Hudson—577

By Mr Vanderveer—That the privilege of the floor be extended to the Hon Joseph L Butcher, a former member of this House from the county of Monmouth—580

By Mr. G. C Henry—That the privilege of the floor be extended to the Hon. Charles R Snyder, a former member of this House from Monmouth county—589.

By Mr. De Cou—That the privilege of the floor be extended to the Hon. Warren A. Flemming, a former member of this House from Mercer county—597.

By Mr. Duffield—That when the House adjourns, it adjourn to meet to-morrow morning, at 10:30 A. M.—609.

By Mr. Marelli—That the privilege of the floor be extended to Judge William J. Lewis, a former member of this House from Passaic county—617.

By Mr. Buck—That the privilege of the floor be extended to the Hon. John Glaspel, a former member of this House—620.

Resolution—By Mr. Birkholz—That the privilege of the floor be extended to the Hon. A. Studer, a former member of this House from the county of Essex—621.

By Mr Pennington—That the privilege of the floor be extended to the Hon. John Howe, a former member of this House—622.

By Mr. Martin—That the printer be directed to print all bills hereafter introduced in conformity with the punctuation of the copy thereof, and in case the bill is not punctuated, then to print the same in conformity with the recommendation of the Governor printed on pages 527 and 528 of the minutes of this session—630.

By Mr. Lehlbach—That when the House adjourn, it be to meet Friday morning, at 10·30 o'clock, and when it then adjourn, it be to meet Monday evening next, at 8 o'clock—660.

By Mr. Martin—All corrections in the punctuation or capitalization of bills, when made upon a printed copy thereof and offered by a committee or by the introducer of the bill, shall, unless objected to, be made upon the official re-print by the Supervisor of Bills without brackets or underscoring. All bills, before delivery to their respective committees and before the copies thereof for the use of the members are printed, shall without special order be referred to the Committee on Bill Revision. Which, on motion of Mr. Lehlbach, were referred to the Committee on Rules—631.

By Mr. Ernst—That the privilege of the floor be extended to the Hon. Rufus Besson, a former member of this House, from the county of Hudson—668.

By Mr Duffield—That when the House adjourn, it adjourn to meet to-morrow morning at 10:30 A. M.—687.

By Mr. Hildreth—That the Senate be advised that the House has reconsidered the vote by which Assembly Bill No. 8 passed the House, and that the Senate be requested to reconsider the vote by which the said bill passed the Senate, and to return the said bill to the House for further consideration—720, 769.

By Mr Duffield—That when the House adjourn, it adjourn to meet to-morrow morning, at 10:30—723.

By Mr. Callery—That the privilege of the floor be extended to the Hon. J Kelsey Whitaker, a former member of this House, from Hudson county—724.

By Mr Hoagland—That the privilege of the floor be extended to the Hon. Edward E Cooper, a former member of this House from the county of Somerset—725.

By Mr. De Cou—That the privilege of the floor be extended to the Hon. W L. Wilbur, a former member of this House from the county of Mercer—750.

By Mr. Duffield—That when the House adjourn, it adjourn to meet to-morrow morning, at 10:30 A. M.—762.

By Mr. Duffield—That the privilege of the floor of this House be extended to the Grand Lodge, Free and Accepted Masons, now in session in this city—781.

By Mr Robbins—That the privilege of the floor be extended to the Hon George Childs, a former member of this House from the county of Burlington—784.

Resolution—On motion of Mr. Duffield, the House then took a recess until 2:30 o'clock P M.—788

By Mr Mattheus—That the privilege of the floor be extended to the Hon. Leon Abbott, a former member of this House, from the county of Hudson—789

By Mr Hamill—That the privilege of the floor be extended to the Hon Charles C. McDonald, of Monmouth county, a former member of this House—791.

Mr. Scovel moved that the Message from the Governor be received, spread in full upon the Journal of the House and referred to the Committee on Judiciary—806

By Mr. Lehlbach—That when the House adjourn, it be to meet to-morrow morning at 10:30 o'clock, and when it then adjourn it be to meet on Monday evening at 8 o'clock—824

By Mr Buck—That the privileges of the floor be extended to the Hon Wilson Shropshire, a former member of this House—825.

By Mr Mills—That the privileges of the floor be extended to the Hon. Charles E Whitehead, a former member of this House—826

By Mr. Taylor—That the privilege of the floor be extended to the Hon Harrison Van Dyne, a former member and Speaker of this House from Essex county—831

By Mr Duffield—That when the House adjourn, it adjourn to meet to-morrow morning at 11 o'clock A. M.—838.

By Mr. Duffield—That Rule 43, which prohibits a bill being read twice on the same day, be suspended, and that all bills shall, upon passing second reading, be at once placed upon the calendar for third reading—840.

By Mr. Duffield—That all Assembly bills be sent to the Senate as soon as possible after the passage by the House, and all rules to the contrary be and they are hereby suspended—840.

By Mr. Ernst—That at the proper time, under the rules of this House, I will move that the Committee on Judiciary be relieved from the further consideration of Assembly Bill No. 102—842.

By Mr Duffield—That the rule requiring new matter to be underscored and matter omitted to be included in brackets, in printed bills, be suspended—842.

By Mr. Hamill—That at the proper time, under the rules of this House, I will move that the Committee on Judiciary be relieved from the further consideration of Assembly Bills Nos. 188, 189 and 328, and the Committee on Municipal Corporations of Assembly Bill No 190—848, 981, 982.

By Mr. Duffield—WHEREAS, By a resolution of this House, adopted March 21st, 1905, the Honorable Fitzhugh Lee was requested to address the Legislature this day, and WHEREAS, The hour fixed by that resolution has now arrived, *Resolved*, That the Speaker appoint a committee of two to escort the Honorable Fitzhugh Lee to the bar of this House—848.

By Mr. Taylor—That the House of Assembly resolve itself into a Committee of the Whole for the purpose of hearing an address by the Honorable Fitzhugh Lee—854

Resolution—By Mr. Dufficld—That 1,000 copies of the proceedings of the State Conference of Charities and Corrections, held in the Assembly Chamber on February 16, 17, 18, 1905, be printed for the benefit of the State, the societies and organizations of New Jersey engaged in charities and correctional work—863.

By Mr. Dalrymple—That the House informs the Senate that it had reconsidered the vote by which Assembly Bill No. 126 passed third reading and final passage, and request the Senate to reconsider the vote by which the said bill passed the Senate, and to return it to the House—876

By Mr. Reed—That the privilege of the floor be extended to the Hon. Chas. McDonald and Hon. Amzi Posten, of Monmouth county, former members of this House—889.

By Mr Dalrymple—That the privilege of the floor be extended to the Hon. Henry Crosley Allen, member of Congress from the Sixth Congressional district of this State—892.

By Mr. Gibbs—That the privilege of the floor be extended to the Pennsylvania members of the Joint Commission on Fisheries of the Delaware river—898.

By Mr. Duffield—That when the House adjourn, it be to meet to-morrow morning, at 10:30 A. M—898.

By Mr Hamill—That the privilege of the floor be extended to the Hon. Edward M. Stanton, Police Justice of Hoboken—899.

By Mr. Reed—That the privilege of the floor be extended to the Hon. Samuel W. Kirkbride, a former member of this House, from the county of Monmouth—928.

By Mr. Birkholz—That the privilege of the floor be extended to the Hon William Cardwell, Mayor of East Orange—937.

By Mr Duffield—That when the House adjourn, it adjourn to meet to-morrow morning at 10:30 A M.—995

By Mr Duffield—That the House immediately resolve itself into a Committee of the Whole, to investigate certain charges respecting bribery of members of this House, made by the Daily True American, a newspaper published in the city of Trenton, and that the House, when convened as such committee, shall have full power to send for persons and papers and compel the attendance before it of such person or persons as they may deem necessary and proper to testify in said matter—996.

By Mr. Duffield—That the Clerk be instructed to furnish the Prosecutor of the Pleas of Mercer county with a copy of the testimony of the witnesses who appeared before the Committee of Investigation on the charges of bribery made by the Trenton True American in connection with the passage of Assembly Bill No. 239—1035.

By Mr. Colby—That the Speaker appoint a committee of three members of this House to investigate the rules and regulations enforced by the Legislatures of other States affecting the privileges of lobbyists; said committee to investigate, if any, the rules of the State House Commission of New Jersey with relation to admission of lobbyists to the capitol, and all matters pertaining thereto, and to submit their report to the Governor, together with any recommendations they may deem proper to make—1039.

Resolution—By Mr Duffield—That no further bills be considered, except by unanimous consent—1049.

By Mr Duffield—That the thanks of the House of Assembly are hereby extended to Hon. John W. Weseman, Custodian of the State House, and his assistants, for the manner in which he has provided for the wants and comfort of the members of the House during this session—1057

By Mr Duffield—That the thanks of the House be and are hereby tendered to the publishers of the Daily State Gazette and the Daily True American, both of Trenton, for the papers served to the individual members during this session—1057.

By Mr. Duffield—That the thanks of the House of Assembly be and are hereby extended to the newspaper correspondents for the uniform fairness with which they have treated the members of the House—1057.

By Mr. Duffield—That the thanks of the House be and are hereby extended to William H. Meseroll, Assistant Custodian, for the efficient and courteous manner in which he has attended to the wants of the House during this session—1058

By Mr. Duffield—That the thanks of this House be and are hereby extended to Charles R. Robinson, Document Clerk, for the efficient and courteous manner in which he has attended to the wants of the House during this session—1058

By Mr Duffield—That the thanks of the House of Assembly be tendered MacCrellish & Quigley for the prompt and satisfactory manner in which the current printing for this session has been performed, and for their accuracy and the intelligent manner in which their work has been done—1058

By Mr. Duffield—That the thanks of this House be and the same are hereby extended to the pages, doorkeepers and other attaches of this House for their untiring efforts to please the members—1058.

By Mr. Duffield—That the chairman of the standing committees be requested to hand all bills not acted upon to the Clerk of the House—1058

By Mr. Duffield—That the thanks of this House be and are hereby extended to James Parker, Clerk; Upton S. Jeffreys, Assistant Clerk; Robert S. Terhune, Journal Clerk; Howard B. Keasby, Assistant Journal Clerk; Robert J. Cresswell, Assistant to Journal Clerk; George A. Grover, Supervisor of Bills; Harry A. Gittone, A Lincoln Scowcrodt and Seymour H Francis, Assistant Supervisors of Bills; George B. Lutts, Sergaent-at-Arms; Edward Totten, Bill Clerk, and their assistants, for the efficient and faithful manner in which they have attended to the wants of the House during this session—1059

By Mr. Duffield—That the thanks of the House be and the same are hereby tendered to the Hon. James A Hamill for his honest, able and courteous conduct as leader of the minority during the present session To him we would extend the warmest expression of respect and esteem—1059.

By Mr Duffield—That the members of the House do hereby express their appreciation of the gentlemanly, fair and uniformly kind treatment received by them at the hands of Mr William H. Albright, the Speaker's private secretary, and Mr. Henry Bodine, the Speaker's assistant private secretary—1059.

Resolution—By Mr. Duffield—That the Sergeant-at-Arms be directed to make an immediate accounting of all stationery, books and other articles in his own possession and in the possession of the various officers and committees of the House, and turn the same over to the Comptroller, taking his receipt therefor, and the Comptroller is hereby directed to retain the same for the use of the next Legislature—1059.

By Mr. Duffield—That a committee of three be appointed to wait upon the Governor and inform him that the House is ready to adjourn *sine die,* and ascertain if he has any further communication to transmit to the House—1060

By Mr Hamill—That the thanks of the minority members of this House be extended Majority Leader Duffield for his eminently fair and courteous treatment evidenced at all times during this session—1060

By Mr. Duffield—That the index of the minutes of the Assembly for the present session be prepared by James Parker, Clerk of the House of Assembly, in the same manner as the index of the minutes of last year, and that he be paid therefor the sum of one hundred and fifty dollars—1060

By Mr Duffield—That this House express to the Hon. John Boyd Avis, its Speaker, the appreciation it has for him because of the fair, courteous and impartial manner in which he has presided over and guided its deliberations By his honorable desire for prompt dispatch of business, attention to the welfare of the State and recognition of majority and minority alike, he has won the lasting regard of each and every member—1060

Communications, Petitions, Memorials, &c.

Communication—From the Senate—*Resolved*, That the Secretary of the Senate be directed to inform the House of Assembly that the Senate has organized and elected the Hon. Joseph Cross, of the county of Union, President, and Howard L. Tyler, of the county of Cumberland, Secretary, and has proceeded to business—5.

From the Honorable Franklin Murphy, Governor's Message —10.

From W E. Ross, County Collector, Sparta, N. J., January 8th, 1905—Announcing the death of Assemblyman Jackson R. Decker, of Sussex county. Funeral services at his late residence, Sparta, N. J., Wednesday, January 11th, instant, at 1 30 P. M.—26

From J Willard Morgan, Comptroller—Informing Assembly that the contract for the current printing of the Legislature during the present session has been awarded to MacCrellish & Quigley, of Trenton, N. J.—27.

Mr. De Cou, for the Joint Committee on Inauguration of Governor-elect Stokes, presented the following report: The inaugural ceremonies will take place on Tuesday, the seventeenth instant, at 12 o'clock noon, at Taylor Opera House, Trenton, New Jersey, in the presence of the Legislature, the judicial and State officers. The two houses of the Legislature will meet at their respective chambers at the usual hour and adjourn at 11 o'clock A M., to meet upon the stage of the opera house at 11:30 A. M. They will organize upon the stage, where seats have been prepared for them. Those having been furnished with cards of admission to the stage are requested to be in their places by 11:30 o'clock A M. The Sergeant-at-Arms of each house, with their assistants, will act as ushers on the stage. At 11:15 A. M. the Joint Committee on Inauguration, with the State officers who have been invited, will meet to escort Governor Murphy and Governor-elect Stokes to the opera house. General Bird W. Spencer will be in charge of the opera house during the ceremony. The following order of exercises will be observed: 1 Prayer by the Reverend Holmes F Gravatt 2 Administration of the oath of office by the Chief Justice. 3 Salute of seventeen guns at the State House grounds. 4. Delivery of the Great Seal by the Honorable Franklin Murphy. 5. Acceptance of the Great Seal by the Governor. 6. Introduction of the Governor to the President of the Senate by the Honorable Franklin Murphy. 7. Introduction of the Governor to the Senate and General Assembly by the President of the Senate 8 Inaugural address. 9 Benediction by the Reverend Henry Collin Minton, D.D. The

Governor will hold a reception to the public in the Executive Chamber from 3 to 5 o'clock in the afternoon, and from 7:30 to 9 o'clock in the evening. Officers of the National Guard attending the evening reception are requested to appear in full dress uniform Joint Committees—Messrs. Barton B. Hutchinson, J. Henry Bachelor and Samuel S Childs. Messrs. Thomas B. De Cou, Louis H. Miller, Herbert W. Taylor, James M. E. Hildreth, John A. Wildrick—38.

Communication—From His Excellency, Governor Edward C Stokes—Inaugural address—43.

From Hon Robert H McCarter, Attorney-General—The Clerk read the opinion of the Attorney-General relative to the filling of the vacancies made by reason of the death of two members-elect from Union and Sussex counties—61.

At 12 o'clock noon of Tuesday, January 31st, 1905, the Senate and General Assembly met in joint assembly in the Assembly Chamber, for the purpose of electing a State Treasurer, State Comptroller and a State Director of Railroads—88.

From the Senate—Informing the House of Assembly that the Senate has approved the bond and oath of Frank O. Briggs, as State Treasurer, and the same is presented to the House of Assembly for its consideration—108.

From His Excellency, Governor Edward C. Stokes—*To the Speaker and Members of the House of Assembly*· Under a resolution of the Legislature of the session 1904, adopted March 24th, 1904, the Governor appointed a Commission to investigate the whole subject of the assessment and taxation of the property in this State—real, personal and corporate—and report at this session of the Legislature the result of its investigation, with such recommendations as said Commissioners shall deem proper I have the honor to transmit to you herewith the report of said Commission, consisting of a majority report, two dissenting opinions and one supplemental report, with appendix and tables, for your consideration and action I beg leave to call your attention to the substantial unanimity of opinion among the members of the Commission as to the taxation of second-class railroad property, as to the valuation and taxation of all railroad property by a State Board, as to the creation of a State Tax Court for the equalization of values of all kinds of property and as to a maximum tax rate for municipalities—120.

Majority report, to his Excellency the Governor, from the Commission to investigate the whole subject of the assessment and taxation of the property in this State—real, personal and corporate—with appendix and tables: Signed by George T. Werts, Carl Lentz and Henry J. West—121.

To his Excellency the Governor, supplemental report of Henry J. West—204.

To his Excellency the Governor, report of Chandler W. Riker, chairman of the Commission, with appendix and tables—212.

To his Excellency the Governor, individual report presented by Mr. Charles C. Black—267.

Communication—Mr. Duffield, of the Special Committee on Bond of State Treasurer, made the following report: Your committee to which was referred the bond of State Treasurer Frank O. Briggs respectfully approve the same, and recommend the concurrence of the House in the resolution of approval passed by the Senate. (Signed) Edward D Duffield, B. D Shedaker, B Frank Buck—281

Mr. Coyne, of Union county, presented the certificate of election of Randolph Perkins, who was elected a member of the General Assembly to fill the vacancy caused by the death of George H Embree—289.

Mr. De Cou presented the following petition: From the members of the Hightstown Grange, No. 96, of Mercer County, petitioning for relief, from the intolerable conditions of the fee system, and asking that annual salaries be fixed for Sheriffs, County Clerks and Surrogates of Mercer county and throughout the State. Signed by Charles Black, R. H. Ely, Levi Updyke, Wm. M. Perrine, Secretary Legislative Committee—351.

Mr De Cou presented the following from Windsor Grange, No. 40, Patrons of Husbandry, Windsor, New Jersey, petitioning the abolition of the fee system in connection with the offices of Sheriff, County Clerk, Surrogate and other offices throughout the State, and asking that all such offices be placed on a salary basis—450.

From his Excellency Governor Edward C. Stokes, transmitting the report of the action of the Commissioners appointed under joint resolution of the State of New Jersey, approved February 14th, 1905, and the Commissioners representing the State of Delaware, for the purpose of framing a compact between the said States and legislative action thereon, looking to an amicable termination of the suit between the two States now pending in the Supreme Court of the United States, &c—456.

From his Excellency Governor Edward C. Stokes—I beg leave to submit for your consideration report of the commission appointed under authority of a resolution adopted by the Legislature of this State, to reconcile the Voting Machine Law and the General Election Law, and to suggest such other amendments to the latter as they might deem wise This report is accompanied by a bill incorporating the recommendations of the commission—526.

From the Special Commission appointed to reconcile the Voting Machine and General Election Law. *To the Senate and General Assembly of the State of New Jersey:* Gentlemen—Pursuant to a resolution appointing us to investigate the Voting Machine Law of the State and reconcile any difference that might exist between the said law and the General Election Law, we beg leave to submit the following report by the enclosed bill. Dated March 7th, 1905. S. D. Dickinson, Chairman; Jos. A. Brohel, Secretary; Robert H. McCarter—527.

From his Excellency Governor Edward C. Stokes—Calling the attention of the House of Assembly to the present form in which printed bills are considered by the Legislature of this State, &c.—527, 630

Communication—From Attorney-General McCarter, accompanied by an opinion of the Hon Bennet Van Syckel—relating to a resolution of the House of Assembly, passed February 28, 1905, asking the Attorney-General for an opinion, relative to Assembly Bill No 239—541.

The Clerk read a petition, numerously signed by the citizens of Summit, protesting against the passage of Assembly Bill No. 54—556

From his Excellency Governor Edward C. Stokes—Stating he had filed Senate Bill No. 2, providing for an Assistant Prosecutor in Monmouth county, but calling upon the Legislature to be careful, in the future, in fixing term and salaries of local officials by legislative enactment, &c.—617.

From the Senate—Informing the House of Assembly that the Senate has reconsidered the vote by which Assembly Bill No. 8 passed the Senate, and said bill, having been reconsidered, is hereby returned to the House of Assembly. As per request of resolution, dated March 21st—769.

From the Senate—Informing the House of Assembly that the Senate has reconsidered the vote by which Assembly Bill No. 114 passed the Senate, and said bill having been reconsidered, is hereby returned to the House of Assembly as per request of resolutions dated March twenty-first.—773.

From his Excellency Governor Edward C Stokes—*To the Speaker and Members of the House of Assembly:* My attention has been called to the condition of the laws affecting master and servant The present law on the subject is largely Judge-made, and has come to be a mass of legal subtleties fruitful of controversy. Chief Justice Magie declared that "To attempt to explore the adjudged cases on this subject is to bewilder one's self in a maze of decisions inconsistent with each other and often irreconcilable with the principles at the foundation of the liability of the master to a servant," &c.—806.

Mr. Marelli presented a resolution, adopted at a meeting of the citizens of Paterson, held on March 25th, 1905, protesting against the passage of Assembly Bill No. 239—825

The Speaker presented a petition, numerously signed by the citizens of Williamstown, New Jersey, urging the repeal of the law for paying a bounty on killing foxes, which petition was read by the clerk and referred to the Committee on Game and Fisheries—825.

From the Senate—Informing the House of Assembly that the Senate has passed the following concurrent resolution: WHEREAS, Senate Bill No 67 was, by concurrent resolution, recalled from the Governor for further consideration by the Senate, and whereas said bill has not been amended or changed in any particular whatsoever, therefore be it *Resolved* (by the Senate, the House of Assembly concurring), That said Senate Bill No 67 be returned to the Governor for his consideration—944

From the Senate—Informing the House of Assembly that the Honorable Joseph Cross, of the county of Union, has resigned as President of the Senate, and that the Senate has unanimously elected William J. Bradley, of the county of Camden, as President—1035

Communication—Mr. Duffield offered the following report, which was read by the Clerk and unanimously adopted by the House: The committee appointed to conduct the investigation on the part of the Committee of the Whole recommend the adoption of the following resolution· WHEREAS, No evidence has been produced before the Committee of the Whole to in any way substantiate the charges made by the Trenton True American of bribery in connection with the passage of Assembly Bill No 239; and WHEREAS, It is apparent that, owing to the inability of the committee to punish witnesses refusing to answer inquiries for contempt, it will, in the opinion of the committee, be impossible to procure any further or additional information in connection with said charges; and WHEREAS, If said charges have any substance in fact, the Grand Jury of this county has full power of investigation, therefore be it *Resolved,* That no further action be taken by the House in the premises, and be it further *Resolved,* That a copy of the record of these proceedings be forwarded to the Prosecutor of the Pleas of Mercer county, with the request to lay the same before the next Grand Jury in this county—1035

From the Senate—*Resolved,* That the hour of adjournment having arrived, the Secretary inform the House of Assembly that the Senate is now ready to adjourn *sine die,* and awaits the presence of the House of Assembly—1059.

From his Excellency Governor Edward C Stokes—*To the Speaker and Members of the House of Assembly:* I desire to express to you my sincere appreciation of the uniform courtesy that I have received at your hands during the present session of the Legislature Many important measures, which will serve the best interests of the State, crown your Legislative labors In these closing hours I extend my best wishes for your personal success and prosperity—1060.

From John W Weseman, Custodian—*Hon. John Boyd Avis, Speaker of the House of Assembly: Dear Sir*—As I understand there will be a final adjournment of the Legislature to-day, will you kindly request the members of the House of Assembly and all officers to return all keys immediately after adjournment to the Sergeant-at-Arms of the House of Assembly, or Custodian—1061.

The Speaker thereupon announced that the hour fixed upon for the final adjournment of both Houses of the one hundred and twenty-ninth (129th) Legislature had arrived, and he declared the House of Assembly adjourned without day. The members of the House of Assembly, preceded by the Speaker and the Clerk, then proceeded to the Senate Chamber, and after the announcement by the Speaker that, in accordance with his duties, he had adjourned the House of Assembly without day, the President of the Senate declared the one hundred and twenty-ninth Legislature adjourned *sine die*—1061.

Appointment of Officers and Committees by the Speaker.

The Speaker appointed as a committee to wait upon the Governor, Messrs. Colby, Fordyce and Lange—5, 10.

announced the names of the following gentlemen as members of the Inauguration Committee: Messrs. De Cou, Miller, Taylor, Hildreth and Wildrick—27, 102.

announced the appointment of the following Standing and Joint Committees for the session of 1905, which will be found on page 27—27.

announced the appointment of the following committees: Rules—Duffield, Dalrymple, Robbins. Bill Files and Minute Files—Lehlbach, Mabie, Heck. Clergy—Barber, Shedaker, Van Derveer—32

announced the appointment of William H. Albright, of Gloucester county, to be his Private Secretary, and Henry V. Bodine, of Gloucester county, to be his Assistant Private Secretary—32

then appointed the special committee Messrs Duffield, Buck and Shedaker upon the examination of the State Treasurer's bond—114, 281.

announced that Mr. Perkins had been appointed as the fifth member of the Committees on Agriculture and Agricultural College, Printed Bills and the Joint Committee on Sinking Fund—307.

announced that he had appointed Messrs Gibbs, of Camden; Hunt, of Salem, and Wildrick, of Warren, as authorized by Senate Concurrent Resolution No 2—628.

appointed Messrs. Duffield, of Essex, and Hamill, of Hudson, a committee to conduct General Fitzhugh Lee to the bar of the House—849

announced that, in conformity the provisions of the resolution offered by Mr. Colby, and adopted by the House relative to investigating the rules and regulations affecting the privileges of lobbyists, he had appointed Mr. Colby, of Essex; Mr. Robbins, of Burlington, and Mr. Alexander, of Hudson—1054.

appointed as a committee to wait upon the Governor, Messrs. Duffield, Hamill and Perkins, and inform him that the House is ready to adjourn *sine die*—1060.

Appointment of Clerks to Committees.

Mr. Duffield, Chairman of the Committee on Judiciary, announced the appointment of Mr James L Schanck, of Essex county, as Clerk to that Committee—38.

Mr. Dalrymple, Chairman of the Committee on Corporations, announced the appointment of Mr. John H McGuire, of Passaic county, as Clerk to that Committee—38

Mr. Miller, Chairman of the Committee on the Revision of Laws, announced the appointment of Mr. Daniel S. Edson, of Cumberland county, as Clerk to that Committee—38.

Mr Scovel, Chairman of the Committee on Municipal Corporations, announced the appointment of Mr. William H Tice, of Camden county, as Clerk to that Committee—38.

Mr Baker, Chairman of the Committee on Railroads and Canals, announced the appointment of Mr Edward W. Kilpatrick, of Morris county, as Clerk to that Committee—38.

Mr. Elvins, Chairman of the Committee on Printed Bills, announced the appointment of Mr. Charles W. Justice, of Atlantic county, as Clerk of that Committee—68

Mr Lehlbach, Chairman of the Committee on Stationery, announced the appointment of Mr. Roy F. Anthony, of Essex county, as Clerk of that Committee—68

Public Hearings Given by Committees.

The Clerk made the following announcement: A meeting of the Joint Committee on Inaugural will be held in the Senate committee-room immediately after the adjournment of the House—27, 102.

There will be a public meeting of the Committee on Boroughs and Borough Commissions Tuesday, February 14th, at 1:30 P. M, in committee-room, on Assembly Bill No 21, entitled "An act to incorporate the borough of Laurel Springs, in the county of Camden." T. E. Hunt, Chairman—111.

There will be a joint meeting of the Committee on Boroughs and Borough Commissions on Tuesday, February 14th, at 12 o'clock noon, in the Senate committee-room. T. E Hunt, Chairman—111.

There will be a public meeting of the Committee on Boroughs and Borough Commissions Tuesday, February 14th, 1905, at 1 o'clock P M., on Assembly Bill No 78, entitled "An act to incorporate the borough of Oaklyn, in the county of Camden." T. E Hunt, Chairman—111.

There will be a public meeting of the Committee on Public Health, after the morning session, next Tuesday, to consider Assembly Bill No 95, entitled "An act to regulate the practice of embalming, burial and disposal of dead human bodies" Known as the "Pennington Undertaker Bill" B. Frank Buck, Chairman—330.

A public hearing will be given on Senate Bill No. 42 Tuesday, February 28th, at 1 o'clock P. M, in Municipal Corporation room. Cornelius C. Pearce, Chairman on Towns and Townships—364.

The Committee on Boroughs and Borough Commissions will hold a public hearing on Assembly Bill No. 192, entitled "An act to incorporate the borough of Pitman, in the county of Gloucester," the act for the incorporation of Pitman Grove as a borough, on Tuesday, February 28th, at 1 o'clock. Thomas E. Hunt, Chairman—365, 424.

A public hearing will be given on Assembly Bill No 148, entitled "An act relating to corporations," relative to the limiting of franchises to public utility corporations, before the Committee on Municipal Corporations, Tuesday, February 28th, at 1 o'clock. H. S. Scovel, Chairman—365

There will be a public hearing by the Judiciary Committee on Assembly Bill No. 164, amending the Tenement House Law, on Wednesday, the first day of March, at 2 P. M., in the Assembly chamber. Edward D Duffield, Chairman—380.

The Committee on Corporations will give a public hearing on Assembly Bill No. 139, entitled "An act to authorize and regulate corporations for the supply of water in places other than cities," at 12 o'clock noon on Wednesday, March 1st George H. Dalrymple, Chairman—404.

There will be a public hearing on Assembly Bill No 38, entitled "An act for the licensing of stationary engineers, for the protection of life and property against loss or damage from the operation of steam boilers or steam engines by incompetent persons," known as the "Stationary Engineers' Bill," on Wednesday, March 8th, at the close of the morning session William Pennington, Chairman—438, 540.

There will be a public hearing on Assembly Bill No 188, entitled "A supplement to an act entitled 'An act relating to information in the nature of a quo warranto (Revision of 1903),'" approved April 8th, 1903, in the rooms of the Judiciary Committee on Monday next, March 6th, at 3 P. M.—Edward D. Duffield, Chairman—438.

There will be a public hearing on Assembly Bill No. 189, in the rooms of the Judiciary Committee on Monday next, March 6th, at 4 P. M. Edward D. Duffield, Chairman—438

There will be a public hearing on Assembly Bill No 231, entitled "An act to provide for the general assessment and equal taxation of property," in the Assembly Chamber on Tuesday next, March 7th, at 2 P M. Edward D. Duffield, Chairman—439, 483, 592.

There will be a public hearing on Assembly Bill No. 1, entitled "A further supplement to an act entitled 'An act to revise and amend "An act for the taxation of railroad and canal property," approved April 10th, 1884,'" which act was approved March 27th, 1888, in the Assembly Chamber on Tuesday next, March 7th, at 1.30 P. M. Edward D. Duffield, Chairman—439, 483.

There will be a meeting of the Committee on Municipal Corporations immediately after adjournment and will give a public hearing on Assembly Bill No. 239, entitled "An act to repeal the charter of the Morris Canal and Banking Company and to provide for the disposal of the property of said company," on Wednesday, March 8th, at 1:30 o'clock. Henry S. Scovel, Chairman—452, 516.

There will be a public hearing on Senate Bill No. 129, entitled "An act to provide for the permanent improvement of public roads in this State (Revision of 1905)," on Tuesday, March 14th, at 10 o'clock A. M. B. D. Shedaker, Chairman—540.

There will be a meeting of the Committee on Boroughs and Borough Commissions on Assembly Bill No. 254, entitled "An act to fix and define the boundary lines of the borough of North Caldwell, in the county of Essex, by the annexation of a portion of the borough of West Caldwell and the township of Caldwell, respectively," immediately after the session to-morrow morning. Thomas E Hunt, Chairman—571.

There will be a public hearing on Assembly Bill No 226 before the Judiciary Committee, immediately after the adjournment of this House, in the Judiciary Committee-room Edward D. Duffield, Chairman—591.

The Committee on Appropriations will give a public hearing on Assembly Bill No. 325, entitled "An act to repeal an act entitled 'An act to increase the efficiency of the public-school system of the State by providing for additional free scholarships at the State Agricultural College,' passed March 31st, 1890," immediately after the close of the session to-morrow morning. Samuel K Robbins, Chairman—704.

There will be a hearing on Assembly Bill No. 227, entitled "A supplement to an act entitled 'An act concerning evidence (Revision of 1900),'" approved March 23d, 1900, by the Committee on Revision of Laws Thursday, March 23d, immediately after the morning session. Louis H Miller, Chairman—723.

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Licenses for inns, taverns and saloons in villages—concerning granting of same, 80, 498, 499, 506, 702, 703, 1063.

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