LAWS OF NEW JERSEY

1913

New Jersey State Library

ACTS

OF THE

One Hundred and Thirty-Seventh Legislature

OF THE

STATE OF NEW JERSEY

AND

Sixty-Ninth Under the New Constitution.

UNION HILL, N. J.
DISPATCH PRINTING COMPANY

1913

New Jersey State Library

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

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

DAVID S. CRATER,

Secretary of State.

MEMBERS

OF THE

One Hundred and Thirty-seventh Legislature

OF NEW JERSEY.

SENATORS

Atlantic ..... WALTER E. EDGE.
Bergen ..... JAMES A. C. JOHNSON.
Burlington ..... BLANCHARD H. WHITE.
Camden ..... WILLIAM T. READ.
Cape May ..... HARRY C. WHEATON.
Cumberland ..... ISAAC T. NICHOLS.
Essex ..... AUSTEN COLGATE.
Gloucester ..... GEORGE W. F. GAUNT.
Hudson ..... JAMES F. FIELDER (*President*).
Hunterdon ..... GEORGE F. MARTENS, JR.
Mercer ..... HARRY D. LEAVITT.
Middlesex ..... WILLIAM E. RAMSAY.
Monmouth ..... JOHN W. SLOCUM.
Morris ..... RICHARD FITZHERBERT.
Ocean ..... GEORGE C. LOW.
Passaic ..... PETER J. McGINNIS.
Salem ..... J. WARREN DAVIS.
Somerset ..... WILLIAM W. SMALLEY.
Sussex ..... SAMUEL T. MUNSON.
Union ..... CARLTON B. PIERCE.
Warren ..... THOMAS BARBER.

ASSEMBLYMEN.

Atlantic	EMERSON L. RICHARDS. JOSEPH W. SALUS.
Bergen	CHARLES O'CONNOR HENNESSY. ARTHUR M. AGNEW. JOHN W. ZISGEN.
Burlington	ROBERT PEACOCK.
Camden	ISAAC W. COLES. JOHN B. KATES. JAMES RUSSELL CARROW.
Cape May	WILLIAM PORTER.
Cumberland	JOHN A. ACKLEY.
Essex	JOSEPH B. BLOOM. JOHN J. BRACKEN. SIMON L. FISCH. BENNETT H. FISHLER. FRANK A. FOLEY. LOUIS LEWIS. WILLIAM E. MAGUIRE. JOHN A. MATTHEWS. LAWRENCE McCABE, JR. CHARLES A. NUTTING. JOSEPH F. PAPSCOE. HUBERT J. ROWE.
Gloucester	EDWARD C. LEEDS.
Hudson	JAMES C. AGNEW. CHARLES M. EGAN. THOMAS F. MARTIN. JOSEPH M. BRANEGAN. PHILIP STEUERWALD. MAGNUS BREDENBEK. HARRY KUHLKE. WALTER L. McDERMOTT. ARTHUR F. McGRATH. HENRY W. MOSER. THOMAS C. MULLIGAN. DANIEL J. MURRAY.

Hunterdon	OLIVER C. HOLCOMBE.
Mercer	GEORGE W. ADAMS. HERVEY STUDDIFORD MOORE. ERWIN E. MARSHALL.
Middlesex	JOHN P. KIRKPATRICK. GEORGE L. BURTON. ARTHUR A. QUINN.
Monmouth	LEON R. TAYLOR, (*Speaker*). WILLIAM E. MOUNT.
Morris	JAMES J. LYONS. EDWARD D. NEIGHBOUR.
Ocean	DAVID G. CONRAD.
Passaic	ROBERT F. BUCKLEY. JOSEPH A. DELANEY. JAMES E. KERWIN. JAMES MATTHEWS. ROBERT A. ROE.
Salem	ISAAC S. SMICK.
Somerset	AZARIAH M. BEEKMAN.
Sussex	HENRY T. KAYS.
Union	JOHN J. GRIFFIN. WILLIAM A. LEONARD. HUGH J. McLOUGHLIN.
Warren	HENRY O. CARHART.

LAWS

ACTS

PASSED BY THE

One Hundred and Thirty-seventh Legislature.

CHAPTER I.

AN ACT to amend an act entitled "An act to provide for officers of the Senate and General Assembly and to fix their compensation" approved June eleventh, one thousand eight hundred and ninety-five.

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

1. Section 2 of the aforesaid act is hereby amended so as to read as follows: Section 2 amended.

2. The following shall be the officers of the Senate, who shall severally receive the annual compensation herein prescribed, that is to say: Officers of Senate and compensation.

The secretary of the Senate, fifteen hundred dollars;

The assistant secretary of the Senate, twelve hundred dollars;

The president's secretary, six hundred dollars;

The supervisor of bills, twelve hundred dollars;

The assistant supervisor of bills, six hundred dollars;

The second assistant supervisor of bills, five hundred dollars;

The journal clerk, one thousand dollars;

The assistant journal clerk, five hundred dollars;

The second assistant journal clerk, four hundred dollars;

The calendar clerk, five hundred dollars;

The bill clerk, five hundred dollars;

The assistant bill clerk, five hundred dollars;

The sergeant-at-arms, seven hundred dollars;

The assistant sergeant at arms, five hundred dollars;

The clerk to the committee on printed bills, five hundred dollars.

The clerk to the committee on appropriations, five hundred dollars;

Four clerks to committees, to be assigned to duty by the secretary of the Senate, three hundred and fifty dollars each;

Four stenographers, five hundred dollars each;

Five doorkeepers, three hundred and fifty dollars each;

Three gallery keepers, three hundred and fifty dollars each;

Four file clerks, three hundred and fifty dollars each;

Five pages, two hundred dollars each;

Section 3 amended.

2. Section 3 of the aforesaid act is hereby amended so as to read as follows:

Officers of Assembly and compensation.

3. The following shall be officers of the House of Assembly, who shall severally receive the annual compensation herein prescribed, that is to say:

The clerk of the House, fifteen hundred dollars;

The assistant clerk, twelve hundred dollars;

An assistant to the clerk of the House, three hundred and fifty dollars;

The speaker's secretary, six hundred dollars;

The speaker's assistant secretary, five hundred dollars;

The journal clerk, one thousand dollars;

Two assistant journal clerks, five hundred dollars each;

The supervisor of bills, thirteen hundred dollars;

Three assistant supervisors of bills, six hundred dollars each;

The sergeant-at-arms, seven hundred dollars;

Two assistant sergeant-at-arms, five hundred dollars each;

The bill clerk and one assistant bill clerk, five hundred dollars each;

The clerk to the committee on printed bills, five hundred dollars;

Eight clerks to committees to be assigned to duty by the clerk of the House, three hundred and fifty dollars each;

Three stenographers, five hundred dollars each;

Twelve doorkeepers, three hundred and fifty dollars each;

Fifteen file clerks, three hundred dollars each;

Ten pages, two hundred dollars each;

3. This act shall take effect immediately.

Approved January 20, 1913.

WOODROW WILSON,
Governor.

CHAPTER 2.

AN ACT relating to boards of chosen freeholders in counties of this State, validating elections therein accepting laws providing for the reorganizing of boards of chosen freeholders reducing the membership thereof, confirming the election of members of such boards, and making lawful the appointment or election of officers by such boards.

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

Provisions declared applicable.

1. Whenever in any of the counties of this State an election has heretofore been held to accept or reject the provisions of any act or acts of the Legislature providing for the reorganizing of boards of chosen freeholders reducing the membership thereof, and at such election a majority of the votes cast were in favor of accepting the provisions of such act or acts, then the provisions of such act or acts shall be deemed to apply to and be in operation and full force in any such counties.

Elections validated notwithstanding defects.

2. All elections held in any of the counties as aforesaid are hereby validated and confirmed, notwithstanding any defect in the notice of such election, or in the calling of the same, or in the method or manner of submission or certification thereof.

Election of small board validated.

3. All elections heretofore had in any of the counties aforementioned for the election of members of boards of chosen freeholders in said act or acts mentioned, are hereby validated and confirmed, and such board of chosen freeholders shall be and is hereby constituted the true and lawful board of chosen freeholders of such county, for the terms for which they were so elected.

Officers of board.

4. All officers elected or appointed by any such board of chosen freeholders shall be and are hereby

constituted the true and lawful officers in the offices to which they were elected or appointed.

5. This act shall take effect immediately.

Approved January 29, 1913.

CHAPTER 3.

A SUPPLEMENT to an act 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," approved April first, nineteen hundred and ten.

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

Additional commissioners. Term.

1. In addition to the number of commissioners provided for in the act to which this is a supplement, the Governor shall, with the advice and consent of the Senate, appoint two additional members who shall hold office until the first day of October, nineteen hundred and sixteen, and thereafter he shall annually appoint, with the advice and consent of the Senate, such two additional members who shall hold office for three years from the date of the expiration of the terms of their predecessors in office; the Governor alone shall also have the power to fill any vacancy occurring in the board of commissioners, but for the unexpired term only.

Powers and duties.

2. The commissioners so appointed shall have the same powers and duties as are vested in or imposed upon the commissioners appointed under the act to which this is a supplement.

3. This act shall take effect immediately.

Approved February 5, 1913.

CHAPTER 4.

AN ACT to validate, ratify, approve and confirm the election of the number of members directed to be elected and to constitute the board of chosen freeholders in the several counties of this State, pursuant to the provisions of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve.

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

Membership of small boards of freeholders.

1. The number of members elected and directed to be elected and to constitute the board of chosen freeholders in the several counties of this State, pursuant to the provisions of an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," approved April first, one thousand nine hundred and twelve, is hereby validated, ratified, approved and confirmed, and the members of the board of chosen freeholders thus elected shall constitute the lawful, true and only board of chosen freeholders of any such county.

2. This act shall take effect immediately.

Approved February 5, 1913.

CHAPTER 5.

AN ACT to validate, ratify, approve and confirm all elections heretofore held in this State for the adoption of the provisions of any law for the reduction of the number of members of the board of chosen freeholders of any county of this State

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

Certain elections validated.

1. All elections heretofore held in any county of this State for the adoption of the provisions of any law for the reduction of the number of members of the board of chosen freeholders of any county, are hereby validated, ratified, approved and confirmed, notwithstanding any omission, defect or irregularity in the giving of the notice of the calling of such election, or in the conduct, submission or the certification of the same, and notwithstanding such question should have been submitted by the title of the act sought to be adopted, or by any words designed or purporting to give notice to the legal voters that the object of the election was for the purpose of having a reduced number of members of the board of chosen freeholders in any such county.

2. This act shall take effect immediately.

Approved February 5, 1913.

CHAPTER 6.

AN ACT to validate and confirm elections and other proceedings held or taken in any borough for the issuance of bonds, and to validate and confirm bonds or obligations issued or to be issued in conformity with propositions adopted at such elections, and to authorize the issuance of bonds to the amount and as provided in such propositions, and to authorize the doing of the work or making of the improvement for which said bonds are to be issued

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

Certain bond issues in boroughs validated.

1. Whenever an election has heretofore been called and held in any borough for the adoption of a proposition to issue bonds and the notice of election stated the amount of the bonds and the purpose for which they were to be issued, and a majority of the votes cast at such election was in favor of the adoption of such proposition, the said election and the proposition and all resolutions, ordinances and other proceedings in relation to the issuance of such bonds and the making of the improvement or doing of the work for which the bonds were to be issued, are hereby validated and confirmed, and all bonds or obligations issued or to be issued in conformity with such proposition are validated and confirmed, and the issuance of bonds or obligations of such borough to the amount and as provided in such proposition is hereby authorized, notwithstanding the fact that the proposition to do the work or make the improvement for which the bonds were to be issued was not submitted separately to the voters; *provided,* that said bonds shall mature and bear interest as provided by an act entitled "A general act relating to boroughs

Proviso.

(Revision 1897),'' approved April twenty-fourth, one thousand eight hundred and ninety-seven, as amended, and that in no case shall the amount of bonds so issued or to be issued, together with all other outstanding bonds of said borough, exceed fifteen per centum of the amount of the assessed value of property of said borough, as shown by the last assessment of value thereof.

2. This act shall take effect immediately, but shall not affect any action or proceeding now pending in any court. Actions pending not affected.

Approved February 17, 1913.

CHAPTER 7.

AN ACT to repeal an act entitled ''An act requiring members of public bodies, or the commission or committee having charge of the erection and completion of public buildings to enter into bonds before entering upon the duties of their office,'' approved April first, one thousand nine hundred and twelve.

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

1. That the above entitled act be and the same is hereby repealed. Act repealed.

2. This act shall take effect immediately.

Approved February 18, 1913.

CHAPTER 8.

A FURTHER SUPPLEMENT to an act entitled "An act to authorize cities in this State located on or near the ocean, and embracing within their limits or jurisdiction any beach or ocean front, to lay out and open streets and drives, and construct public walks along and upon the beach or ocean front, to grade and otherwise improve the same, to provide the money necessary therefor, and to regulate the use thereof," approved April sixth, one thousand eight hundred and eighty-nine, and the acts amendatory thereof and supplemental thereto, conferring power and authority contained therein on all the governing bodies of any city incorporated prior to passage of this act.

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

Additional powers conferred upon council.

1. All the power and authority conferred upon the common council or other governing body in the cities of this State under and by virtue of an act entitled "An act to authorize cities in this State located on or near the ocean, and embracing within their limits or jurisdiction any beach or ocean front, to lay out and open streets and drives, and construct public walks along and upon the beach or ocean front, to grade and otherwise improve the same, to provide the money necessary therefor, and to regulate the use thereof," approved April sixth, one thousand eight hundred and eighty-nine, together with the amendments thereof and supplements thereto be extended to and conferred upon the common council or other governing body of any city incorporated prior to the passage of this act.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 9.

A FURTHER SUPPLEMENT to an act entitled "An act to authorize cities in this State located on or near the ocean, and embracing within their limits or jurisdiction any beach or ocean front, to lay out and open streets and drives, and construct public walks along and upon the beach or ocean front, to grade and otherwise improve the same, to provide the money necessary therefor, and to regulate the use thereof," approved April sixth, one thousand eight hundred and eighty-nine, and the acts amendatory thereof and supplemental thereto, validating bonds issued or purporting to be issued, under said acts or any of them.

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

Certain bond issues in cities validated.

1. All bonds heretofore issued by any city in this State under the provisions of an act entitled "An act to authorize cities in this State located on or near the ocean, and embracing within their limits or jurisdiction any beach or ocean front, to lay out and open streets and drives, and construct public walks along and upon the beach or ocean front, to grade and otherwise improve the same, to provide the money necessary therefor, and to regulate the use thereof," approved April sixth, one thousand eight hundred and eighty-nine, or any of its amendments or supplements, or purporting to be issued by and under the provisions of said acts or any of them by the common council or other governing body of any such city, are hereby validated authorized and confirmed as the legal and binding obligations of any such city.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 10.

AN ACT to repeal an act entitled "An act for the maintenance, treatment and support of indigent patients suffering from locomotor ataxia, chronic rheumatism, paralysis, and other similar incurable diseases, inhabitants of this State," approved April tenth, one thousand nine hundred and eleven, and the supplement to said act passed April twelfth, one thousand nine hundred and twelve.

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

Act repealed.

1. An act entitled "An act for the maintenance, treatment and support of indigent patients suffering from locomotor ataxia, chronic rheumatism, paralysis, and other similar incurable diseases, inhabitants of this State," approved April tenth, one thousand nine hundred and eleven, and the supplement to said act passed April twelfth, one thousand nine hundred and twelve, be and the same are hereby repealed.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 11.

AN ACT validating sales of lands and defective posting of notices of the time and place of such sales in the township where said lands are located, under public statute or by virtue of any judicial proceedings.

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

Validating sales of land notwithstanding defective notice of sale.

1. All sales of land under a public statute or by virtue of any judicial proceedings heretofore advertised and sold, which are required to be confirmed by an order or decree of any court of record in this State, shall be valid and shall be confirmed by the court notwithstanding any defect or irregularity in the failure to post a notice of the time and place of such sale in the township where a part of the lands are located; and the purchaser or purchasers of such lands, tenements, hereditaments, and real estate, upon receiving his or her deed therefor, and his or her heirs and assigns shall be deemed to have as good and complete title thereto as if the printed notice of the time and place of such sale had been posted in a public place in the township where the lands or a part thereof are located, as heretofore provided by statute.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 12.

An Act to authorize the representation of the State of New Jersey in the Inaugural Ceremonies of the Honorable Woodrow Wilson as President of the United States, on March fourth, nineteen hundred and thirteen, and making appropriation for the expenses thereof.

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

Militia participation in presidential inaugural ceremonies.

1. The Governor of this State is hereby authorized and requested to cause to be issued the necessary orders for the participation of such part of the militia of this State as the Governor shall designate, in the Inaugural Ceremonies at Washington, on the fourth day of March, nineteen hundred and thirteen.

Appropriation.

2. To cover the expenses of this movement, and of the Acting Governor and Staff, the sum of thirty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated.

3. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 13.

An Act to define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

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

Trust defined.

1. A trust is a combination or agreement between corporations, firms or persons, any two or more of them, for the following purposes, and such trust is hereby declared to be illegal and indictable:

Illegal purposes:

Monopoly;

(1) To create or carry out restrictions in trade or to acquire a monopoly, either in intrastate or interstate business or commerce.

Production and price;

(2) To limit or reduce the production or increase the price of merchandise or of any commodity.

Prevent competition;

(3) To prevent competition in manufacturing, making, transporting, selling and purchasing of merchandise, produce or any commodity.

Fixing price, etc.;

(4) To fix at any standard or figure, whereby its price to the public or consumer shall in any manner be controlled, any article or commodity of merchandise, produce or commerce intended for sale, use or consumption in this State or elsewhere.

Pooling agreement.

(5) To make any agreement by which they directly or indirectly preclude a free and unrestricted competition among themselves, or any purchasers or consumers, in the sale or transportation of any article or commodity, either by pooling, withholding from the market or selling at a fixed price, or in any other manner by which the price might be affected.

Secret understanding as to pooling.

(6) To make any secret oral agreement or arrive at an understanding without express agree-

ment by which they directly or indirectly preclude a free and unrestricted competition among themselves, or any purchasers or consumers, in the sale or transportation of any article or commodity, either by pooling, withholding from the market, or selling at a fixed price, or in any other manner by which the price might be affected.

Penalty.

2. Any person or corporation guilty of violating any of the provisions of this act shall be adjudged guilty of a misdemeanor, and punished accordingly on conviction.

Individual liability of directors.

3. Whenever an incorporated company shall be guilty of the violation of any of the provisions of this act, the offence shall be deemed to be also that of the individual directors, of such corporation, ordering or doing any of such prohibited acts and on conviction thereof they shall be punished accordingly.

Revocation of charter.

4. In addition to the punishment which may be imposed for the misdemeanor the charter of the offending corporation may be revoked in appropriate proceedings by the Attorney-General of this State.

Rights preserved.

5. Nothing in this act contained shall operate to deprive any corporation of any right or power given or granted by section forty-nine of the act entitled "An act concerning corporations (Revision of 1896)," and the words "article" and "commodities" in this act are to be construed as synonymous with natural products, manfactured products, and goods, wares and merchandise.

Definition of terms.

Validity of sections.

6. If any part or parts of this act shall be held to be invalid or unconstitutional the validity of the other parts hereof shall not thereby be affected or impaired.

Approved February 19, 1913.

CHAPTER 14.

A FURTHER SUPPLEMENT to the act entitled "An act for the punishment of crimes (Revision of 1898)".

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

Discrimination unlawful.

1. It shall be unlawful for any person, firm, corporation or association, engaged in the production, manufacture, distribution or sale of any commodity of general use, or rendering any service to the public, to discriminate between different persons, firms, associations or corporations, or different sections, communities or cities of the State, by selling such commodity or rendering such service at a lower rate in one section, community or city than another, or at a different rate or price at a point away from that of production or manufacture as at the place of production or manufacture, after making due allowance for the difference, if any, in the grade, quality or quantity, and in the actual cost of transportation from the point of production or manufacture, if the effect or intent thereof is to establish or maintain a virtual monopoly, hindering competition, or restriction of trade.

Penalty.

2. Any person or corporation violating this act shall be guilty of a misdemeanor and on conviction thereof shall be punished accordingly.

3. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 15.

A FURTHER SUPPLEMENT to an act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, one thousand eight hundred and ninety-six, for the purpose of amending section forty-nine thereof.

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

Section 49 amended.

1. Section forty-nine of the act entitled "An act concerning corporations (Revision of 1896)," be and the same is hereby amended so as to read as follows:

Corporations may purchase property and issue stock.

49. (1). Any corporation formed under this act may purchase property, real and personal, and the stock of any corporation, necessary for its business, and issue stock to the amount of the value thereof in payment therefor, subject to the provisions hereinafter set forth, and the stock so issued shall be full paid stock, and not liable to any further call; and said corporation may also issue stock for the amount it actually pays for labor performed.

Proviso.

Provided, that when property is purchased the purchasing corporation must receive in property or stock what the same is reasonably worth in money at a fair, bona fide valuation; *and provided further*, that no fictitious stock shall be issued; that no stock shall be issued for profits not yet earned, but only anticipated; *and provided further,* that when stock is issued on the basis of the stock of any other corporation it may purchase, no stock shall be issued thereon for an amount greater than the sum it actually pays for such stock in cash or its equivalent; *and provided further,* that the property purchased or the property owned by the corporation whose stock is purchased shall be cognate in character and use to the property used or contemplated to be used by the purchasing corporation in

Proviso.

Proviso.

Proviso.

the direct conduct of its own proper business: and in all cases when stock is to be issued for property purchased, or for the stock of other corporations purchased, a statement in writing, signed by the directors of the purchasing company or by a majority of them, shall be filed in the office of the Secretary of State, showing what property has been purchased, and what stock of any other corporation has been purchased, and the amount actually paid therefor. Statement to be filed with secretary of state.

(2). That if any certificate made in pursuance of this act shall be false in any material representation, all the officers who sign the same, knowing it to be false, shall be guilty of misdemeanor, and the directors, officers and agents of the corporation, who wilfully participate in making it, shall be guilty of misdemeanor. *And provided further,* that any corporation which shall purchase the stock of any other corporation, or any property, for the purpose of restraining trade or commerce, or acquiring a monopoly, and the directors thereof participating therein, shall be guilty of a misdemeanor. Signing false statement a misdemeanor. Proviso.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 16.

An Act to amend an act entitled "A further supplement to the act entitled 'An act for the punishment of crimes,' approved June fourteenth, one thousand eight hundred and ninety-eight (Revision of 1898)," which supplement was approved June second, one thousand nine hundred and five.

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

1. Section one of the act entitled "A further supplement to the act entitled 'An act for the pun- Section 1 amended.

ishment of crimes,' approved June fourteenth, one thousand eight hundred and ninety-eight (Revision of 1898)," which supplement was approved June second, one thousand nine hundred and five, be and the same is hereby amended so as to read as follows:

Incorporation for fraudulent purposes a misdemeanor.

1. Any person or persons, who shall organize, or incorporate, or procure to be organized, or incorporated, any corporation or body politic, under the laws of this State, with intent thereby to further, promote or conduct any object which is fraudulent or unlawful under the laws of this State, or which is intended to be used in restraint of trade or in acquiring a monopoly, when such corporation or body politic engages in interstate or intrastate commerce, shall be guilty of a misdemeanor.

Section 2 amended.

2. Section two of the said supplement shall be and the same is hereby amended so as to read as follows:

Persons using corporations unlawfully guilty of a misdemeanor.

2. Any person, or persons, being officers, directors, managers or employees of any corporation or body politic, incorporated under the laws of this State, who shall wilfully use, operate or control said corporation or body politic, or suffer the same to be used for the furtherance or promotion of any object fraudulent or unlawful under the laws of this State, or who shall use the same directly or indirectly in restraint of trade or in acquiring a monoply, when such corporation or body politic enengages in interstate or intrastate commerce, shall be guilty of a misdemeanor.

Validity of sections.

3. If any part or parts of this act shall be declared to be invalid or unconstitutional, the other parts hereof shall not thereby be affected or impaired.

4. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 17.

An Act to amend section one hundred and nine of an act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, one thousand eight hundred and ninety-six.

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

1. Section one hundred and nine of the act entitled "Act act concerning corporations (Revision of 1896)," be and the same is hereby amended so as to read as follows:

Section 109 amended.

109. When two or more corporations are merged or consolidated the consolidated corporation shall have power and authority to issue bonds or other obligations, negotiable or otherwise, and with or without coupons or interest certificates thereto attached, to an amount sufficient with its capital stock to provide for all the payments it will be required to make or obligations it will be required to assume, in order to effect such merger or consolidation; to secure the payment of which bonds or obligations it shall be lawful to mortgage its corporate franchises, rights, privileges and property, real, personal and mixed; *provided,* such bonds shall not bear a greater rate of interest than six per centum per annum; the consolidated corporation may issue capital stock, either common or preferred, or both, to such an amount as may be necessary, to the stockholders of such merging or consolidating corporations in exchange or payment for their original shares, in the manner and on the terms specified in the agreement of merger, or consolidation, which may fix the amount and provide for the issue of preferred stock based on the property or stock of the merging or consolidating corporations conveyed to the consolidated corporations, as well as upon money capital paid in.

Consolidated corporations authorized to issue bonds and mortgage property.

Proviso.

Amount of capital stock issued.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 18.

An Act to amend an act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, eighteen hundred and ninety-six.

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

Section 51 amended.

1. Section fifty-one of the act referred to in the title of this act is hereby amended to read as follows:

Corporations not permitted to deal in securities of other corporations.

51. No corporation heretofore organized or hereafter to be organized under the provisions of the act to which this is an amendment, or the amendments thereof or supplements thereto, except as otherwise provided therein or thereby, shall hereafter purchase, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of the shares of the corporate stock of any other corporation or corporations of this or any other State, or of any bonds, securities or other evidence of indebtedness created by any other corporation or corporations of this or any other State, nor as owner of such stock exercise any of the rights, powers and privileges of ownership, including the right to vote thereon. *Provided*, that nothing herein contained shall operate to prevent any corporation or corporations from acquiring the bonds, securities or other evidences of indebtedness created by any non-competing corporation in payment of any debt or debts due from any such non-competing corporation; nor to prevent any corporation or corporations created under the laws of this State from purchasing as a temporary investment out of its surplus earnings, reserved under the provisions of this act, as a working capital, bonds, securities or evidences of in-

Proviso.

Investment in non-competing corporations.

debtedness created by any non-competing corporation or corporations of this or any other State, or from investing in like securities any funds held by it for the benefit of its employees or any funds held for insurance, rebuilding or depreciating purposes; nor to prevent any corporation or corporations created under the laws of this State from purchasing the bonds, securities or other evidences of indebtedness created by any corporation the stock of which may lawfully be purchased under the authority given by section forty-nine of the act entitled "An act concerning corporations (Revision of 1896);" *provided, also,* that nothing herein contained shall be held to affect or impair any right heretofore acquired in pursuance of the section hereby amended, by any corporation created under the laws of this State.

Repealer.

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

Proviso.

Approved February 19, 1913.

CHAPTER 19.

A FURTHER SUPPLEMENT to an act entitled "An act concerning corporations (Revision of 1896)," approved April twenty-first, one thousand eight hundred and ninety-six.

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

1. A merger of corporations made under the provisions of the act to which this act is a supplement, shall not in any manner impair the rights of any creditor of either of the merged corporations.

Rights of creditors preserved.

2. Before any merger of corporations can be made, the approval thereof in writing by the Board of Public Utility Commissioners of this State shall

Utility commissioners to approve mergers.

be obtained by said corporations and filed in the office of the Secretary of State, with the names of the directors of each of said corporations which assent to the merger.

Non-compliance a misdemeanor.

3. Every corporation, and the directors thereof, procuring or assenting to such merger without complying with the provisions hereinbefore contained, shall be guilty of a misdemeanor and punishable accordingly.

4. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 20.

An Act to amend an act entitled "An act repeeting the Court of Chancery (Revision of 1902)."

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

Section 95 amended.

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

Vice-chancellors.

95. There shall be not more than eight vice-chancellors, who shall be counsellors-at-law of at least ten years' standing, and shall be appointed by the chancellor and commissioned by the Governor, under the great seal of the State, and shall continue in office for seven years from the date of commission.

2. This act shall take effect immediately.

Approved February 19, 1913.

CHAPTER 21.

An Act to validate and confirm elections and other proceedings heretofore held or taken in any borough, under the authority of an act entitled "A general act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts supplemental thereto and amendatory thereof, for the issuance of bonds, and to validate and confirm bonds or obligations issued in conformity with propositions adopted at such election, and to authorize the issuance of bonds to the amount and as provided in such propositions.

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

Election and bond issue validated.

1. Whenever, heretofore, under the authority of an act entitled "A general act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts supplemental thereto and amendatory thereof, an election has been called and held in any borough for the adoption of a proposition to issue bonds, and the notice of election stated the amount of the bonds and the purposes for which they were issued, and a majority of the votes cast at such election were in favor of the adoption of such proposition, the said election and the proposition and all the resolutions and other proceedings in relation to the issuance of such bonds are hereby validated and confirmed, and all bonds or obligations issued or to be issued in conformity with said proposition are validated and confirmed, and the issuance of bonds or obligations of such borough to the amount and as provided in said proposition are hereby authorized, notwithstanding any defect, omission or irregularity in the resolutions and proceedings

calling such election, or in the day and time of passing of such resolutions and proceedings, or in the records of such resolutions and proceedings, or in the giving of notice or the conduct of such election or in the canvass or filing of the result thereof; *provided,* that said bonds shall mature and bear interest as provided by an act entitled "A general act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts supplemental thereto and amendatory thereof, and that in no case shall the amount of bonds so issued or to be issued, together with all other outstanding bonds of said borough, exceed fifteen per centum of the amount of the assessed value of property of said borough as shown by the last assessment of the value thereof.

Proviso.

2. This act shall take effect immediately.

Approved February 24, 1913.

CHAPTER 22.

An Act to incorporate the First Judicial District of the county of Monmouth.

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

1. The following described territory, to wit: all that part of the county of Monmouth in the State of New Jersey, comprised within the following city, boroughs and township within said county, to wit: The city of Asbury Park, borough of Belmar, borough of Neptune City, borough of Avon-by-the-Sea, borough of Bradley Beach and township of Neptune, be and the same hereby is established and incorporated to be the First Judicial District of the county of Monmouth, and the provisions of an

First judicial district of Monmouth; how composed.

act entitled "An act concerning District Courts" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight and the various amendments thereof and supplements thereto, so far as the same may be applicable, shall apply to the district hereby established.

2. This act shall take effect immediately.

Approved February 24, 1913.

CHAPTER 23.

An Act to amend an act 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," approved March twenty-second, one thousand nine hundred and five.

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

1. Section nine of the act referred to in the title of this act is hereby amended to read as follows: Section 9 amended.

9. The chief forester employed by said board shall be designated and known as State Forester. He shall be the active agent of said board in the performance of the duties imposed upon it by section three of the act which this act amends. He shall serve also as secretary to the said board. As secretary, it shall be his duty to keep proper records of said board, and any copy of any record, under the seal of the board, signed by the secretary, shall be of the same evidential effect in all the courts of this State as an exemplified copy of any recorded deed, according to law as now constituted. Chief Forester. Duties. Secretary of board.

Approved February 25, 1913.

CHAPTER 24.

An Act granting to cities, townships, incorporated towns, incorporated boroughs and incorporated villages the right to license and regulate public dance halls.

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

Dance hall defined.

1. The words "public dance hall" in this act shall be taken to mean:

Any room, place or space in which dancing is carried on and to which admission can be had either with or without the payment of a fee, or by the purchase, possession or presentation of a ticket or token, or in which a charge is made for caring for clothing or other property, located upon premises which are licensed to sell liquors, other than a hotel having upwards of fifty bedrooms.

Exception.

But the word "dancing" as used in this act shall not apply to exhibitions or performances in which the persons paying for admission do not participate.

License and regulation.

2. It shall be lawful for the common council, board of aldermen, township committee or other governing body, however designated, of any city, township, incorporated town, incorporated borough or incorporated village within this State to pass, alter and repeal ordinances for licensing public dance halls, and to adopt such rules, regulations and restrictions with reference to the conduct of all such public dance halls as to it shall seem proper.

License fee.

3. It shall be lawful for said common council, board of aldermen, township committee or other governing body, however designated, of any city, township, incorporated town, incorporated borough or incorporated village to provide in any such or-

dinance for the exaction, from any person licensed thereunder, of an annual license fee, which said license fee may be levied and collected for the purpose of revenue.

Penalties.

4. It shall be lawful for said common council, board or other governing body of any city, township, incorporated town, incorporated borough, or incorporated village in passing any ordinance to prescribe the maximum penalty or penalties to be imposed for the violation of any such ordinance or order, either by imprisonment in the county jail not exceeding thirty days, or by a fine not exceeding five hundred dollars, or both; and any police justice, police court, recorder or other court or officer before whom a proceeding on account of such violation may be cognizable, shall have discretion in imposing such penalty or penalties, but not to exceed the maximum penalty or penalties prescribed in the ordinance.

Use of fees and penalties.

5. It shall be lawful for said common council, board or other governing body of any city, township, incorporated town, incorporated borough or incorporated village, in passing any ordinance, to provide therein to what uses or purposes the money paid for licenses under and fines and costs received from the violation of any such ordinance that may be passed in pursuance of the power here given shall be applied, but if such provision be not contained in any such ordinance, then such money paid for licenses and all fines and costs received from the violation of any ordinance that may be passed in pursuance of the power here given shall be paid into the treasury of said city, township, incorporated town, incorporated borough or incorporated village.

Repealer.

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

7. This act shall take effect immediately.

Approved February 25, 1913.

CHAPTER 25.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several Public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

Exception to appropriation act.

1. Nothing in section three of the above-entitled act shall be construed to apply to the specified moneys appropriated in Item thirty by the following paragraph thereof, namely, "For construction of armory for second troop cavalry, at Red Bank, pursuant to chapter one hundred and sixty-five, laws of one thousand nine hundred and six, twenty-five thousand dollars."

2. This act shall take effect immediately.

Approved February 25, 1913.

CHAPTER 26.

A Supplement to an act entitled "An act providing for divorces and for decrees of nullity of marriage, and for alimony and the maintenance of children (Revision of 1907)," approved May seventeenth, one thousand nine hundred and seven.

Preamble.

WHEREAS, Doubts have arisen as to the meaning of the fourteenth section of the act to which this act is a supplement, governing the number and

duration of the publications of the order, or notice thereof, against a defendant not served with citation and petition under the provisions of the thirteenth section of the said act; and

WHEREAS, Due publication is made necessary by said act to the acquiring of jurisdiction; for remedy whereof,

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

1. The publication in the designated newspaper of the order, or notice thereof, under the provisions of the fourteenth section of an act entitled "An act providing for divorces and for decrees of nullity of marriage, and for alimony and the maintenance of children (Revision of 1907)," approved May seventeenth, one thousand nine hundred and seven, shall be held and construed to require the first publication to be made within twenty days from the date of the order, and three publications thereafter, at least one in each of the three next succeeding calendar weeks, making four publications, one in each of four successive calendar weeks, as aforesaid; and every order for publication heretofore or hereafter ordered in the language of the said section shall be held and construed to have been properly complied with by due publication, if the same has been published as directed in accordance with the said section as the same is hereby declared and construed; *provided,* that nothing herein shall be held to prevent the Chancellor from expressly directing additional or other publications of said order or notice.

Directions for publishing notices.

Proviso.

2. This act shall take effect immediately.

Approved February 25, 1913.

CHAPTER 27.

An Act to provide for the legal commitment of any wayward female or females convicted of a misdemeanor, or high misdemeanor, or adjudged to be a disorderly person or persons, to any charitable institution in this State maintained for the reformation of wayward females.

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

Wayward females may be committed to reformatory institutions.

1. Wherever in this State there shall be or may now be, an institution or institutions maintained for the reformation of wayward females, any female or females convicted of a misdemeanor, or high misdemeanor, or who may or shall be adjudged to be a disorderly person or persons, the judge of the Court of Quarter Sessions or Special Sessions of any county, or any magistrate having jurisdiction in the premises, may, after due conviction had, make a valid and legal commitment of such female to such institution, instead of committing such female to the county jail, penitentiary or other penal institution.

Authorization.

2. The managers of said institution or institutions are hereby authorized to receive and hold females committed under this act.

Term of commitment.

3. Where the females so as aforesaid committed shall be over the age of twelve years, but under the age of twenty-one years, then the commitment shall be until such female shall arrive at the age of twenty-one years; if, however, the female be of the age of eighteen years or upwards, then the commitment shall be for a term not exceeding five years, as shall be directed in writing by the judge or magistrate making said commitment, as the case may be, unless in any case the female so committed be sooner discharged by the court making the com-

mitment or by those managing such institution; *provided, however,* that no commitment made under this act, which shall recite the facts upon which it is based, shall be deemed or held to be invalid by reason of any imperfection or defect in form. Proviso.

4. All acts or parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved February 26, 1913.

CHAPTER 28.

A Supplement to an act entitled "An act respecting conveyances" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

1. Where any conveyance or conveyances of real estate has or have heretofore been made, executed and recorded in favor of any religious society, association or corporation in this State, as the grantee or grantees therein, and where such religious society or association has failed to record and file the proper certificate of incorporation in the manner provided in the act entitled "An act to incorporate trustees of religious societies" (Revision), approved April ninth, one thousand eight hundred and seventy-five, and the acts amendatory thereof and supplementary thereto, until after the making and execution of such conveyance or conveyances and the recording thereof, any and all such conveyance or conveyances of real estate shall be as valid and effectual in law as if made, executed and delivered to such religious society or societies, association or associations, after the filing and record- Conveyances made to societies previous to incorporation, validated.

ing of the proper certificate of incorporation of such society or societies, and shall be as valid and effectual in law as if made to such corporation or corporations, society or societies during the period of its or their corporate existence; and the record of such conveyance or conveyances of real estate so made to such society or societies prior to the filing and recording of its or their certificate of incorporation as aforesaid shall be of the same force and effect as if said conveyance or conveyances had been made, executed and recorded subsequent to the filing and recording of such certificate or certificates of incorporation, and the record of every such deed of conveyance shall be admissible in evidence as fully and completely for all purposes as if such deed or deeds of conveyance had been made and recorded during the corporate existence of such society or societies.

Record admissible in evidence.

2. This act shall take effect immediately.

Approved February 26, 1913.

CHAPTER 29.

An Act to incorporate the borough of Seaside Heights, in the county of Ocean.

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

1. The inhabitants of those portions of the townships of Dover and Berkeley, in the county of Ocean, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the Borough of Seaside Heights, and shall be governed by the general laws of this State relating to boroughs.

Corporate name.

2. The territorial limits of said borough shall be as follows:

Boundaries defined.

Beginning at a point in Berkeley township in the exterior wharf line in Barnegat bay as established by the Riparian Commission of the State of New Jersey, where the same is intersected by the center line of Porter avenue as laid down on the old plan of Berkeley Beach, said center line being the boundary line between the township of Berkeley and the borough of Seaside Park, and being thirty-five feet (35′) southwardly from and parallel with the northerly side of Porter avenue as laid down on the plan of the property of the Manhassett Realty Company at Seaside Park, New Jersey; thence (1) along said old center line of Porter avenue south, seventy-four degrees six minutes east, two thousand four hundred and sixty-seven and fourteen one hundredths feet to a point in the high water-mark of the Atlantic ocean; thence (2) along said high water-mark north, nineteen degrees fifty-one minutes east, four thousand and seven and forty-seven one hundredths feet to a point where the same is intersected by the northerly boundary of a tract of land known as the plan of North Seaside Park, Ocean county, New Jersey, said last mentioned point being located in Dover township, about four hundred and fifty feet northwardly from the northerly side of Carteret avenue, as shown on the last mentioned plan; thence (3) along the northerly boundary of said tract of land shown on the plan of North Seaside Park north, eighty-two degrees twenty-seven minutes west, three thousand three hundred and thirty-two and forty-five one hundredths feet to a point in the exterior wharf line in Barnegat bay as established by the Riparian Commission of the State of New Jersey; thence (4) along the said exterior wharf line of Barnegat bay south, five degrees forty minutes west, two thousand seven hundred and fourteen and two one hundredths feet to a point, thence (5) still along said exterior wharf line south, eleven degrees eight minutes west eight hundred and fifty-

five and twenty-nine one hundredths feet to the place of beginning.

Referendum.

3. This act shall not become operative until its provisions shall be submitted to the voters of the above described territory, at a special election to be held within the said territory, and at said election adopted by a majority of the voters residing within the said territory at the time of the passage hereof. Said special election shall be held within the said territory within thirty days from the passage of this act, and between the hours of six o'clock A. M. and six o'clock P. M. of the day fixed for such election and at a place within the said territory, which place and day are to be fixed by the clerk of the township of Berkeley, in the county of Ocean. The clerk of the township of Berkeley shall cause public notice of the time and place of the holding of the said election, to be given by advertisements signed by himself, and set up in at least five public places within said described territory, and published in at least one newspaper, circulating therein, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election, ballots, to be printed or written, or partially written and partially printed, on which shall be printed or written the word "for" and the word "against" above and immediately preceding the title of this act. If the word "for" be marked off or defaced upon the ballot, it shall be counted as a vote against the acceptance of said act, and if the word "against" be marked off or defaced upon the ballot, it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" shall be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed and shall be conducted by the officers of the election district of said township of Berkeley, but no special form of ballot and no envelope need be used by any

Special election.

Notice.

Ballots.

Election how conducted.

voter at said election. The officers holding such election shall within two days after such election make two returns, one to the township committee of the township of Dover, and the other to the township committee of the township of Berkeley, of the result of such election by statements in writing and under their hands, and the same shall be entered at length upon the minutes of each of the said township committees, and upon its adoption by a majority of said electors as aforesaid, and not otherwise, this act shall in all respects be operative. Returns.

4. The register of voters within said described territory to be used in the conduct of such special election shall be prepared and made up by the board of registry and election of the said township of Berkeley which conducted the general election next preceding the holding of such election in said township, and for that purpose the said board shall meet at such place within said described territory and at such time as shall be designated by the clerk of the township of Berkeley at least one week preceding said special election. Notice of the time and place so designated for such meeting shall be given by the clerk of the township of Berkeley by posting notices thereof in at least five of the most public places in said described territory, at least five days prior to said meeting. Said meeting of the board of registry and election for the making up of said new register of voters shall begin at one o'clock in the afternoon and continue until nine o'clock of the evening of the day fixed for that purpose, and said board shall insert in said new register the names of all persons who are legal voters within said territory at the time of the passage of this act, and who shall appear in person before them and establish to the satisfaction of the majority of said board that they are entitled to vote at said special election by reason of being inhabitants and citizens residing in said ter- Register of voters. Notice of registry day. Make new register.

ritory at the time of the passage hereof, or who shall be sworn by the written affidavit of a voter residing in said territory to be entitled so to vote.

Registering by affidavit.

A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him, and on the following day one copy of said register shall be mailed to the chairman of the county board of elections of Ocean county, to be filed by said board. and one copy shall be retained for the use of said township board of election at such special election.

As to statements of results.

5. Immediately after the two statements of the result of such election shall be made to the township committees of the said townships of Dover and Berkeley, another copy of said statement, certified by the clerk of the township of Berkeley, shall be filed by him in the office of the county clerk of the county of Ocean.

Special election to fill offices.

6. Within ten days after a copy of the statement of said election has been filed with the county clerk of the county of Ocean, and in case it is shown by said statement that this act has been adopted by the voters of said territory as aforesaid, the said county clerk shall call another special election, to be held within said territory, within thirty days from the date of the filing of the said statement in his office for the purpose of electing a mayor, six councilmen, an assessor, a collector, and one justice of the peace, to hold office until the first day of January following said special election, which election shall be held between the hours of six o'clock A. M. and six o'clock P. M., on a day and at a place within said territory, to be fixed by said county clerk;

Notice of.

and of the time, place, and purpose of said special election said county clerk shall give public notice by advertisements, signed by himself, and set up in at least five public places within said territory, and published in at least one newspaper circulating therein, at least five days prior to such election.

Ballots.

Said county clerk shall provide for the electors,

voting at such election, ballots, to be printed or written, or partly written and partly printed, on which shall appear the names of all candidates for said offices who shall have been nominated by petition of at least five voters residing within said territory and appearing on the said election register used at the special election held for the adoption of this act. Petitions making nominations for any of said offices shall be filed with the said county clerk within twenty days from the date of the filing with said county clerk of the statement showing the adoption of this act and at least three days prior to said election. Such election shall be held at the time and place so appointed by said county clerk, and shall be conducted by the officers of the election district of the said township of Berkeley, but no special form of ballot and no envelope need be used by any voter as said election. The register of voters to be used at said election shall be the same as that used at the special election provided for in sections three and four hereof. The officers holding said election shall make return thereof to the county clerk of the county of Ocean of the result of such election, and the officers elected at said election, on the filing of said return, shall be and become the officers of the said borough, and shall continue in office until the first day of January following said special election, and until other officers have been elected by the voters of said borough, and shall have qualified, as required by law.

Petitions making nominations.

Election; how conducted.

Register used.

Returns.

Officer.

7. This act shall take effect immediately.

Approved February 26, 1913.

CHAPTER 30.

A Supplement to an act entitled "An act respecting the assessment of taxes in villages of this State," approved April seventh, one thousand nine hundred and three.

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

Board of assessors.

1. It shall be lawful for the governing body of any village in this State, at its discretion, to provide by resolution for the appointment by the said governing body, from time to time, of a board of assessors to consist of three members, who shall be residents and legal voters of such village. Such assessors shall receive such salary as the governing body of said village shall by resolution prescribe. Each of said assessors shall be obligated and sworn, and give a bond in such amount as the governing body may direct, for the faithful performance of their duties, and they shall continue in office until their successors are apointed and qualified.

Salary. Oath and bond.

Terms.

The assessors first appointed under this act in any village shall hold office for the term of one, two and three years, respectively, as fixed and designated by the governing body of said village, and after the first appointments such assessors shall be appointed for the full term of three years; vacancies shall be filled for the unexpired term only. The said board of assessors shall each year select one of their number to be president thereof, the governing body of such village shall appoint each year one of the members of said board of assessors as clerk of the said board of assessors. Such clerk shall receive such additional compensation for services as clerk, as the governing body may by resolution provide. The board of assessors so appointed shall perform the duties now devolving

Vacancies.

Officers.

Duties.

or which may hereafter devolve by law upon assessors of taxes, or boards for the assessment of taxes of the various municipalities of this State, and they shall perform such other duties as the governing body of such village may require of them in connection with the assessment of taxes in such village.

Office.

2. The governing body of such village shall provide an office for said board of assessors, which office shall be open during such hours for the transaction of business as the said governing body may by resolution direct, and an opportunity shall be given to any property owner or duly authorized agent of a property owner in such village (during such hours as said office is so required to be opened) to be heard in reference to the amount of the assessed valuation of any property owned by them or any other person in said village.

Complaints.

The said board of assessors shall investigate every complaint made to them at such hearing or any signed complaint made in writing by any property owner in such village, or by any duly authorized agent of a property owner in such village, with the view of equalizing the assessed valuation in such village.

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved February 26, 1913.

CHAPTER 31.

An Act respecting the maintenance of public parks in villages of this State.

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

Raise amount necessary by taxation.

1. It shall be lawful for the governing body of any village in this State owning a public park to raise annually such sum of money for the maintenance of such park as the governing body may deem necessary in the same manner and at the same time as other moneys are raised by taxation.

2. This act shall take effect immediately.

Approved February 26, 1913.

CHAPTER 32.

An Act making appropriation for the purposes of the commission appointed to investigate the present methods of making assessments for taxes throughout the State.

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

Preamble.

1. WHEREAS, pursuant to the provisions of Chapter three hundred and ninety-three, Pamphlet Laws nineteen hundred and twelve, there was appropriated for the expenses of the commission appointed pursuant to Joint Resolution number seven, approved April first, one thousand nine hundred and twelve, the sum of three thousand dollars; and

Preamble.

WHEREAS, an unexpended balance of one thousand two hundred six dollars and sixty cents lapsed into the general funds of the treasury on the first day of November, nineteen hundred and twelve, and it is necessary that the said commission should be allowed to use the said balance, or so much thereof as may be necessary for its expenses and disbursements incurred in the execution of the work of the commission, the sum of one thousand dollars is hereby appropriated for the expenses of the said commission, the same to become immediately available, without reference to any annual or supplemental appropriation bill.

Appropriation from unexpended balance.

Repealer.

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

Approved February 26, 1913.

New Jersey State Library

CHAPTER 33.

An Act to amend an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

Item 79 amended.

1. Item seventy-nine of the act to which this act is amendatory, be and the same is hereby amended so as to read as follows:

79.

STATE REFORMATORY FOR WOMEN.

Appropriation for reformatory for women.

For fencing, three hundred dollars;
For telephone poles, two hundred dollars;
For fertilizers, nine hundred dollars;
For seeds for crops, two hundred and fifty dollars;
For live stock and poultry, two thousand dollars;
For wagons and implements, one thousand dollars;
For maintenance of live stock, one thousand nine hundred dollars;
For wages and board of three men, one thousand eight hundred dollars;
For repairs and horseshoeing, two hundred dollars;
For extra help and miscellaneous expenses, one thousand dollars;
For maintenance, seven thousand five hundred dollars;

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 34.

An Act concerning defective advertisements for the sale of real estate.

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

Validating sales of land notwithstanding defective advertising.

1. All sales of land under a public statute, or by virtue of any judicial proceeding, heretofore advertised, which are required to be confirmed by any order or decree of any court of record in this State, shall be valid notwithstanding any defect or irregularity in the publication of such sale, or in the publication of any adjournment thereof; and the purchaser or purchasers of such lands, tenements and hereditaments or real estate, upon receiving his or her deed therefor, and his or her heirs and assigns shall be deemed to have as good and complete title thereto as if said sale or any of said adjournments had been duly and regularly advertised; *provided, however,* that said sale shall have been confirmed by said court.

Proviso.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 35.

An Act concerning the publication of public notices respecting certain public improvements heretofore or hereafter published in cities of this State.

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

Relative to publishing notice of intention.

1. Whenever the common council or other governing body in any city of this State is required to publish notice of its intention to construct any sewer or drain, or to improve any street, avenue, alley or other public thoroughfare, or to make any other public improvement, it shall be lawful to include all legal requirements in one notice of intention, and the publication of such notice, whether prior or subsequent to the passage of this act, for at least two insertions, as required by the act of March twenty-fifth, one thousand eight hundred and eighty-one, shall be deemed a sufficient compliance with the requirements of any charter or other law in respect to the publication of such notice.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 36.

Supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish, and 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.

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

1. It shall be unlawful to sow, deposit or place any rye or other cereal, or food of any kind or character, in any of the salt waters of this State within four hundred feet of any ice, marsh or meadow, bar or bank, or heaped seaweed not covered with water, or to cause the same to be done, for the purpose of luring, decoying or baiting any goose, duck, swan, brant or any kind of water wild fowl whatsoever, so that the same may be shot at, killed or captured while feeding or attempting to feed thereon, or to shoot at, wound, kill or capture any goose, duck, swan, brant or other water wild fowl while feeding or attempting to feed where any rye or other cereal, or food of any kind or character is known to have been sown, deposited or placed in violation of this act, under a penalty of fifty dollars for each offense. Decoying game with grain, etc. Penalty.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 37.

An Act to provide for the prevention of brooks or watercourses from overflowing their banks in an ordinary storm or freshet and for the purchase or for the condemnation of lands for that purpose and the payment of the costs of the work and land required.

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

Defining and arranging watercourses so as to prevent damage by overflow.

1. Whenever any brook or watercourse shall, in an ordinary storm or freshet, overflow the banks and damage dwelling houses or other property in the vicinity thereof by reason of the narrowness of such brook or watercourse, or encroachments thereon, or the improvement of streets and roads in the municipality or municipalities through which said brook or watercourse shall flow, it shall be lawful for the board of chosen freeholders, in any county of this State wherein such brook or watercourse is located, in order to prevent such damage, (1) to define the lines of such brook or watercourse and remove all encumbrances and obstructions therefrom; (2) to change the course of the channel of such brook or watercourse and, where necessary, widen and straighten the same, and for such purpose acquire lands either by purchase or condemnation; (3) to construct a wall along such brook or watercourse or enclose the same. The whole or any part of such brook may be so improved as the board of chosen freeholders may determine.

Work done by freeholders

Plans prepared.

2. Before any such work shall be commenced said board shall prepare plans and specifications of the work proposed, showing the lines of such brook or watercourse and the lands to be acquired for the widening or straightening of such work or watercourse; and shall fix a time and place for hearing

Notice of hearing.

all parties interested in such work, and give notice of such hearing by publishing the same in at least two newspapers published in such county once each week for two weeks, first notice to be published two weeks before the date of such meeting. After such meeting said board may determine the lines of such brook or watercourse and adopt such plans and specifications with such alterations and changes as they may deem proper.

Public meeting.

3. The board of freeholders shall have power to acquire all and any lands that may be necessary to widen or straighten such brook or watercourse as in their judgment shall be necessary for the purposes aforesaid, by purchase, if price can be agreed upon, or in case of disability of the owner or owners of any lands to convey, or in case prices cannot be agreed upon, the board shall have the right to acquire such land or lands by condemnation in the manner provided by law.

Acquire lands.

Condemnation.

4. When such works shall be completed it shall be the duty of said board to determine the cost thereof, which cost shall include the costs of lands, engineering and other expenses as may be necessary for the work and a reasonable amount as compensation for the making of the assessment of such cost and expenses.

Cost determined.

5. When said cost has been determined said board shall apply to the circuit court of the county for the appointment of commissioners to assess the benefits conferred by such work upon the county, the municipality or municipalities wherein the portion of such brook or watercourse so improved is located, and upon the lands and real estate benefited by such work near to or adjoining said brook or watercourse or the portion thereof improved, giving ten days' notice by publication in two daily newspapers printed and circulated in the county, of the time and place when and where such application will be made, at which time and place, or such other time and place as the court shall designate, said court shall, without unnecessary delay,

Commissioners to assess benefits appointed by court.

appoint three commissioners, who shall be disinterested freeholders and residents of the county in which such application is made, to estimate and assess the benefits aforesaid; said court shall have power to remove any commissioner and appoint another in his place, and also to fill any vacancy that may occur in the office of any commissioner from any cause; said commissioners shall each receive five dollars per day, to be paid by said board, for days actually engaged in making such assessment.

Per diem.

Oath.

6. Said commissioners, before entering upon the duties required of them by this act, shall take and subscribe, before some person duly authorized to administer the same, an oath or affirmation that they will make all assessments and estimates required of them fairly, legally and equitably according to the best of their skill and understanding, which oath or affirmation shall be attached to the report that they are hereinafter required to make.

Notice of hearing.

7. The said commissioners, having thus qualified, shall give such notice as the court may direct of the time and place when and where they will hear any persons in interest who may present themselves to be heard, and at such time and place and at such other times and places to which they may adjourn for the purpose, the said commissioners shall attend and shall give a public hearing to those persons in interest who may desire to be heard; the said commissioners shall have power to examine witnesses under oath or affirmation, to be administered by any one of them, and to enter upon and view the lands and real estate near to or adjoining such brook or watercourse or section thereof improved, and to adjourn from time to time in their discretion, or as directed by said court; they shall determine the lands benefited by such work or improvement and shall use diligent efforts to ascertain the names of the owners of the lands benefited by such work or improvement, and shall state the same in the report hereinafter mentioned;

Witnesses.

Determine benefits.

but the failure to ascertain the name of any owner, or to state the same correctly, or the omission of any such name from the report, shall not invalidate said assessment nor be a bar to the collection of the same.

Report.

8. After having given opportunity as aforesaid for a public hearing of the persons in interest, and having viewed the lands aforesaid, the said commissioners shall make a report in writing of their estimates and assessments to the said court, accompanied by a map prepared by the engineer in charge of the construction of the work showing the several tracts or parcels of land and real estate benefited; the said report shall state the cost of the whole work, which shall be furnished to the commissioners by the board of chosen freeholders from the report of said board, and shall give the names, so far as ascertained, of the owners of the tracts or parcels of lands and real estate benefited by the improvement of such brook or watercourse or section thereof, the city, township, borough or other municipality in which each tract or parcel of land is situate, and the amount of the assessment against such county and municipality or municipalities, and upon the owner or owners of each of said tracts or parcels of lands and real estate for said benefits; which several assessments shall be in proportion, as near as may be, to the benefits deemed to have been conferred by said work or improvement upon said county and municipality or municipalities and upon the respective tracts of land and real estate aforesaid; if any tract of land shall be located in more than one city, township, borough or other municipality, it shall be stated in said report as being in the city, township, borough or other municipality in which there is the greatest portion benefited; in no case shall any tract or parcel of land and real estate, or any owner thereof, be assessed beyond the amount of benefits actually derived from said improvement.

Assessments.

Court to hear objections.

9. Upon the coming in of any such report signed

by the said commissioners, or any two of them, said court shall cause such notice to be given, as it shall deem proper, of the time and place of hearing any objections that may be made to such assessment, and after hearing any matter that may be alleged against the same the said court, either by rule or order, shall confirm the said report, or shall refer the same to the same commissioners for revision and correction, or to new commissioners to be appointed by said court forthwith to reconsider the subject-matter thereof, and the said commissioners to whom such report shall be so referred by the court shall return the same corrected and revised, or a new report to be made by them in the premises, to the said court without necessary delay, and the same, being so returned, shall be confirmed, or again referred by the said court in the manner aforesaid, as right and justice shall require, and so, from time to time, until a report shall be made or returned in the premises which said court shall confirm; such report, when so confirmed, shall be final and conclusive, as well upon the said county, municipality or municipalities, as upon the owners of any lands and real estate affected thereby, and the court shall require the same to be forthwith filed with the county clerk, and certified copies thereof and of the accompanying map, and of the rule or order confirming the report, to be promptly delivered to the county collector, one for said county collector and one for each of the municipalities affected thereby and in which the assessed lands may lie; the county collector shall retain one of the said copies for his own use and shall forthwith give one to the collector or receiver of taxes in each of said municipalities and municipalities in which the assessed lands may lie; each municipality whose collector or receiver of taxes shall receive such certified copy shall, by its proper disbursing officer, within six months after the date of the said order of confirmation, pay the amount of assessments appearing by said report to have been

Revised reports.

Confirmed report final.

Notice to tax collecting officials.

assessed upon such municipality and the lands situate in the same to the county collector.

Certiorari not allowed after thirty days.

10. No certiorari shall be allowed by any court to review any of the proceedings in relation to such improvement, nor in any way to affect any assessment made by such commissioners, after the lapse of thirty days from the making of the order of the court confirming such assessment; the court shall designate what notice, if any, shall be given by publication or otherwise of the confirmation of the report of said commissioners.

Assessments a lien.

11. The assessments made by said commissioners shall be and remain a lien upon the lands assessed, from the date of the confirmation of the report of assessments in the same manner and to the same extent that taxes are liens upon lots or tracts of land situate in such municipality in which the assessed lands may be.

Notice and payment of assessments.

12. The receiver or collector of such municipality shall, as soon as the said report is delivered to him, give to the owners of lots and tracts of lands appearing by said report to be assessed, such notice of the assessments and of the time within which the same are required to be paid as the court in its order of confirmation hereinabove mentioned shall prescribe; all such assessments shall become due and payable to such receiver or collector within six months from the date of the order of confirmation hereinabove mentioned.

Collection of unpaid assessments.

13. If any assessment upon any lot or tract of land made under the provisions of this act shall not be paid within the time appointed in said notice, the collector of taxes of such municipality within which such lot or tract of land shall be situate, may proceed to collect the said assessment by sale of the lot or tract of land whereon such assessment has been imposed or may be a lien, in the same manner and to the same extent as lands are now sold for unpaid taxes in such municipality, and the purchaser or purchasers at any such sale or sales, and his legal representatives, shall hold and enjoy such

lot or tract of land, with the rents, issues and profits thereof, in the same manner and by the same title and tenure as purchasers at the sales of lots or tracts of land for unpaid taxes can now hold and enjoy the same in such municipality.

Payment by municipalities.

14. For the purpose of paying the amount assessed against any municipality, said governing body of such municipality may borrow the amount of such assessment on its certificates of indebtedness, or by the issue of bonds of the municipality, to bear interest not exceeding five per centum, payable semi-annually, payable in not more than thirty years from the date thereof, and raise the money to meet said certificates or bonds and the interest thereon by taxation as provided by law.

Freeholders may borrow to carry on and complete work.

15. The board of chosen freeholders having said work in charge may from time to time borrow the money necessary to carry on said work on temporary loan and in the completion of said work issue bonds of the county in the amount assessed against such county; said bonds to bear interest at a rate not exceeding five per centum, payable semi-annually; the principal of said bond to be paid in not more than thirty years from the date thereof, and the money to be raised for the payment of said interest and principal as provided for the raising of other moneys appropriated by said board.

Bond issue.

Maintenance of improved watercourse.

16. The part of such brook or watercourse improved under the provisions of this act shall be kept in repair and clear of all obstruction by the board of chosen freeholders of the county wherein the same is located, and the costs of such repairs and keeping the same clear of obstruction shall be repaid to the said board by the municipality or municipalities wherein such part of the brook or watercourse is located in proportion to the length of the improved portion of such brook or watercourse in each municipality.

17. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 38.

An Act to enable boroughs, towns and townships which have no municipal hospital to assist in maintaining hospitals located in such municipalities or any other municipality in the same or adjoining counties.

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

Appropriation for care of poor in hospitals.

1. It shall and may be lawful for any borough, town or township of this State which has no hospital located therein maintained by such municipality, to make an appropriation of a sum of money not exceeding one thousand dollars each year in the same manner that appropriations for other municipal purposes are made, which sum so appropriated shall be included in the annual tax levy of such municipality and collected in the same manner and at the same time as other municipal taxes and shall be applied to the purpose of supporting and maintaining such indigent persons residents of such municipalities, as may be sent by order of any overseer of the poor or other proper authority of such municipality to any hospital duly incorporated under the laws of this State and located in such municipality or in any other municipality in the same or an adjoining county.

Amount may be transferred.

2. Where no appropriation has been made in the manner provided in section one of this act for the purpose therein mentioned, it shall and may be lawful for the council or other legislative body of any such municipality which has no hospital located therein maintained by such municipality, to transfer and carry forward an amount not exceeding the said sum of one thousand dollars of any unexpended balance or balances of taxes that have been levied in any such municipality for any pur-

pose during any previous fiscal year, and appropriate the same to the purpose of supporting and maintaining such indigent persons residents of such municipality as may be sent by order of any overseer of the poor or other proper authority of such municipality, to any hospital duly incorporated under the laws of this State, and located in such municipality or in any other municipality in the same or an adjoining county.

Hospital fund.

3. The moneys so raised or appropriated shall be kept as a separate fund known as the hospital fund, and shall not be used for any other purpose whatever, and such municipality shall have power to regulate the mode of sending such patients to such hospital or hospitals and also the mode and terms of paying for the care and maintenance of such patients so sent to such hospital or hospitals.

4. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 39.

An Act to incorporate the Second Judicial District of the county of Monmouth.

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

1. The following described property, to wit: All that part of the county of Monmouth in the State of New Jersey, comprised within the following city, boroughs and townships within said county, to wit: Second judicial district of Monmouth; how composed.

The borough of Sea Bright, the borough of Monmouth Beach, the city of Long Branch, the borough of West Long Branch, the borough of Deal, the borough of Allenhurst, the township of Ocean and the township of Eatontown, be and the same hereby is established and incorporated to be the Second Judicial District of the county of Monmouth and the provisions of an act entitled "An act concerning District Courts," (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight, and the various amendments thereof and supplements thereto, as far as the same may be applicable, shall apply to the district hereby established.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 40.

A Supplement to an act entitled "An act to provide for the distribution by the State of certain publications to the free public libraries of this State," approved May tenth, one thousand nine hundred and seven.

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

Title amended.

1. The title of the act to which this act is a supplement be amended to read as follows: "An act to provide for the distribution by the State of certain publications to the free public libraries and to the incorporated historical societies in the counties of this State."

Section 1 amended.

2. Section one of said act be and the same is hereby amended so as to read as follows:

Distribution of state publications.

1. There shall be distributed, at the expense of the State, to each of the free public libraries, and to each of the incorporated historical societies in the counties of this State, one copy of every bill, joint resolution, law and equity reports, other reports, testimony, pamphlet, or other publication printed or published by the State of New Jersey, or under the direction of the State, or any officer thereof, and in addition thereto one copy of the Legislative Manual of the State of New Jersey annually, and also one copy of any other publication that may be purchased by the State or under its direction for distribution.

Repealer.

3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

4. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 41.

An Act to enable counties of the second class in this State to acquire additional lands and buildings to be used by the courts of such county.

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

Buildings for courts outside county seat.

1. Whenever the board of chosen freeholders of any county of the second class in this State shall, by a resolution duly adopted at a regular meeting of such board, by a majority of all its members, determine that the existing buildings and accommodations for the use of the courts of such counties are inadequate or so situated that they do not reasonably meet the requirements and convenience of such courts and of the people of said county, and that it is desirable that lands and a building in which sessions of said courts may be held shall be acquired in some portion of said county other than the county seat, it shall be lawful for, and the board of chosen freeholders are hereby authorized and empowered by a resolution to be duly adopted by a majority of its members, at a regular meeting of said board, to acquire by purchase, gift, grant, condemnation proceedings, or in any other lawful manner, a tract of land in such place in said county other than the county seat, and to erect, build and construct thereon a suitable and proper building for the use of the several courts of said county.

Terms of resolution.

2. Such resolution must specify the tract of land so intended to be acquired, and the total estimated cost of such land and buildings when completed, and fully furnished, and ready for the use of the courts and which sum shall not be in excess of one hundred thousand dollars.

Condemnation proceedings may be taken.

3. If it be necessary to acquire lands by condemnation, the proceedings therefor shall be pur-

suant to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use," approved March twentieth, one thousand nine hundred, and the supplements thereto and amendments thereof.

Bond issue authorized.

4. The board of chosen freeholders of said county are hereby authorized at once upon the awarding of any contract for the erection of any such building, to issue the bonds of said county, not in excess

Amount.

of one hundred thousand dollars, in the denomination of one thousand dollars, to be registered or

Rate.

couponed, as said board may determine, bearing interest at the rate of not exceeding five per centum per annum, payable semi-annually, and to run for

Time.

a period not exceeding thirty years, and to be signed by the director and clerk of said board and countersigned by the county collector, and which shall be sold for not less than par; and such county

Interest.

shall annually thereafter place in the tax levy a sum sufficient to pay the interest on such bonds as

Sinking fund.

they mature, and shall likewise create a sinking fund for the payment of said bonds at maturity, and place in the tax levy annually thereafter, a sum sufficient, with the accumulation thereof, to pay off and discharge said bonds at maturity.

Temporary funds.

5. In order to acquire title to said lands, and pay for the same, it shall be lawful for the said board of chosen freeholders to borrow temporarily on its notes or other obligations the necessary funds to make such payment and complete the purchase of said land, but which notes or obligations shall be paid from the proceeds of the bonds so to be issued, as provided in section four.

Building erected by contract.

6. The said board of chosen freeholders are hereby authorized and empowered to cause to be erected upon said land a building which, in their judgment, is suitable for the uses of the courts of said county; such building to be erected by contract, which is only to be awarded to the lowest responsible bidder,

Advertisement.

after said board shall have duly advertised in at

least four of the newspapers of said county, requesting bids for the erection of said building, said advertisements to appear at least once each week for three weeks immediately preceding the time and place for the opening of such bids. The contractor shall give bond and sufficient sureties in such sum as the freeholders may determine for the faithful performance of his contract.

Holding court.

7. When said building is completed and fully furnished (and the said board of chosen freeholders are hereby authorized to furnish the same) it shall be lawful for any of the courts of said county, civil or criminal, to hold sessions of such courts in such building, in addition to the sessions to be held in the court house at the county seat of said county; and the orders, rules, judgments and proceedings of any and all kind whatsoever, to be had by and before any of said courts when sitting in such building, shall have the same force and validity in every respect as the said orders, rules, judgments and proceedings would have if they had been made or had before said court while sitting in the court house at the county seat; nothing herein contained is to be construed as changing the law or the customs of the courts of meeting on the first or opening day of the regular terms of said court as prescribed by law in the court house at the county seat.

Validity of proceedings.

Attendance at sessions.

8. Whenever any of the courts of said county shall determine to hold any session of such courts in said new building, it shall be the duty of the litigants, witnesses, clerk, sheriff, constables and other officers and the jurors, either petit or grand, to attend at such place, and the court shall have the same power to enforce and compel such attendance by punishment for contempt, or in any other method, as it would for failure to attend at the court house at the county seat.

Sessions of grand jury.

9. The grand jurors of such county may hold adjourned sessions in said building, and witnesses, officers and parties shall attend in the same manner as if said sessions were held at the county seat,

Validity of indictments.

and be liable to like punishment for failure to so attend. Any indictment, presentment or other proceeding found, had or taken by said grand jury, at such place, shall be of the same force and effect as if found, had or taken at the county seat of such county, and such indictment, presentment or proceeding may be handed up to and presented to the court at said place with the same force, effect and validity in all respects as they would have if handed up or presented to the court in the court house at the county seat.

Repealer.

10. Any and all statutes or parts thereof in any way inconsistent or conflicting with the provisions of this act, be and the same are hereby repealed;

Proviso.

provided, however, that none of the foregoing provisions shall take effect in any county until the same shall have been adopted by vote of the legal voters of such county. The adoption of this act shall be

Referendum.

submitted to vote in any county at any election for members of the General Assembly hereafter to be held, when a petition therefor, signed by at least five per centum of the qualified electors of such county, as evidenced by the total number of votes cast at the then next preceding election for members of the General Assembly in such county shall have been filed with the clerk of said county, of which submission the same notice shall be given as is required to be given of said general election, and the legal voters of said county may, at such election, decide upon the acceptance or rejection of this

Ballots.

act in the following manner: There shall be printed on each official ballot containing the names of candidates for members of the General Assembly underneath the names of the candidates with appropriate instructions to the voter in the following form:

How marked.

If you favor the proposition printed below, make an X mark in the square opposite the word "Yes"; if you are opposed thereto, make an X mark in the square opposite the word "No".

Shall there be acquired additional lands and buildings to be used by the courts of this county?	Yes.
	No.

If the voter makes an X mark in black ink or black pencil in the square opposite the word "Yes", it shall be counted as a vote in favor of said proposition or question. If the voter shall make an X mark in black ink or black pencil in the square opposite the word "No" it shall be counted as a vote against such proposition or question, and in case no mark shall be made after the word either "Yes" or "No" it shall not be counted as a vote either for or against such proposition. Said ballots so cast for or against this act shall be counted and the result thereof returned by the election officers and a canvass of such election had in the same manner and at the same time as in case of ballots for candidates voted for at such election, and the acceptance or rejection of this act so determined shall be declared in the same manner as the general results of said election for county officers; and if there should be a majority of votes so cast in favor of the adoption of this act, but not otherwise, this act shall take effect in such county immediately.

Result canvassed.

Determination.

Approved February 27, 1913.

CHAPTER 42.

An Act to amend an act entitled "An act to amend an act entitled 'An act concerning marriages (Revision of 1910),' approved April eleventh, one thousand nine hundred and ten, " which amendatory act was approved February twenty-eighth, one thousand nine hundred and twelve.

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

Section 2 amended.

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

Who may perform marriages.

2. The Chief Justice and each justice of the Supreme Court, the Chancellor and each Vice-Chancellor, each Circuit Court judge, and each judge of the Court of Common Pleas, recorder and police justice and mayor of this State, and every ordained minister, is hereby authorized to solemnize marriages between such persons as may lawfully enter into the matrimonial relation, and every religious society, institution or organization in this State may join together in marriage such persons as are members of the said society, institution or organization, or when one of such persons is a member of such society, institution or organization, according to the rules and customs of the society, institution or organization to which they or either of them belong.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 43.

An Act respecting police departments of boroughs and regulating the tenure and terms of office and officers and men employed in said departments.

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

Tenure of police.

1. In the several boroughs of the State the officers and men employed by municipal authority in the police department shall severally hold their respective offices and continue in their respective employment as such municipal officers and employees during good behavior, efficiency and residence in such borough, and no person shall be removed from office or employment in the police department of any borough, or from the police force of any borough, for political reasons, or for any other cause than incapacity, misconduct, non-residence or disobedience of just rules and regulations established or which may be established for the police force or police department of such borough; *provided,* that any member of the police force of any borough who shall be absent from duty without just cause for the term of five days shall, at the expiration of said five days, cease to be a member of such police force.

Causes for removal.

Proviso.

Requirements for police.

2. Each member and officer of the police force in boroughs shall be a citizen of the United States and a resident citizen for two years of the borough in which he is appointed, able to read and write the English language understandingly, and he must be of good moral character, of good health and sound body.

Age limits.

3. No person shall be appointed an officer or member of the police force in any borough who is less than twenty-one years or over fifty-five years of age at the time of his appointment.

Proceedings for removal.

4. No person, whether officer or employee, in the

police department of any borough shall be removed from office or employment therein, except for just cause, as provided in the first section of this act; then only after written charge or charges of the cause or causes of complaint shall have been preferred against any such officer or employee, signed by the person or persons making such charge or charges, and filed in the office of the municipal officer, officers or board having charge of the department in which the complaint arises, and after the said charge or charges have been publicly examined into by the appropriate board, officer or authority, upon reasonable notice to the person charged, it being the intent of this act to give every person against whom charges for any cause may be preferred under this act a fair trial upon said charges and every reasonable opportunity to make his defense, if any he has or chooses to make; and the officer, board or body having power to try such charges shall have the power to issue writs of subpœna to compel the attendance of witnesses, which writs shall be served in the same manner as subpœnas issued out of the court for the trial of small causes, and every person who neglects or refuses to obey the command of such writ shall be liable to a penalty of twenty-five dollars, to be sued for in the corporate name of the borough in any court of competent jurisdiction, and the penalty, when collected, shall be paid into the treasury of such borough.

Public hearing.

Subpœna witnesses.

5. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 44.

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 (being Chapter 119 of the Laws of 1895).

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

Removal of chief engineer.

1. In all towns governed under the provisions of the above-entitled act, the chief engineer of the fire department shall not be removed from such office except for good cause shown after a fair and impartial hearing, but shall hold such office during good behavior, and shall not be removed for political reasons.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

3. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 45.

An Act relating to the opening of streets or avenues not exceeding two hundred and fifty feet in length, and the costs and expenses of such opening, in all towns of this State having a population of less than fifteen thousand.

Street improvements at expense of town.

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

1. In all towns of this State having a population of less than fifteen thousand, according to the State census for the year nineteen hundred and ten, it shall be lawful for the common council or other governing body to assess and charge, or cause to be assessed and charged, the entire costs and expenses of opening any street or avenue, not exceeding two hundred and fifty feet in length, upon the town at large and to include the said costs and expenses in the general tax levy upon all the taxable property in the town.

Repealer.

2. All acts, or parts of acts, inconsistent with the provisions of this act, are hereby repealed.

3. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 46.

An Act to amend an act 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," which supplement was approved April nineteenth, one thousand nine hundred and eleven.

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

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

Section 11 amended.

11. The compensation of each member of the boards of registry and election for all services performed by them under the provisions of this act and the act of which this act is a supplement, and the supplements to and amendments of said act, shall be as follows:

Compensation of boards of election.

For each registry day other than the primary registry day, including the services in making the house-to-house canvass in municipalities having a population of less than five thousand, eight dollars; for the primary registry day, including all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars; for mailing the primary and election sample ballots, four dollars; for all services on election day, including counting of the votes and delivery of returns and ballot box, with contents to the municipal clerk, fifteen dollars; for services at any special election, ten dollars; for all services in holding the primary for selection of delegates to national conventions, including the making up of the registry list and the mailing of sample ballots, fifteen dollars. The same shall be in lieu of all other fees and payments whatsoever.

Approved February 27, 1913.

CHAPTER 47.

An Act to safeguard the lives and protect from bodily injury workmen employed on the docks or piers along the waterfront of the State of New Jersey.

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

Ladders provided for workmen along waterfront.

1. All persons, companies or corporations owning or operating any dock or docks, or pier or piers in the State of New Jersey shall provide at least one ladder manufactured from wood, rope, iron, or cast steel, for the passage of laborers or workmen or employees, commonly termed "longshoremen," from the pier or piers, or dock or docks owned or operated by said person, company, companies, corporation or corporations to the deck of each vessel such as a barge, canal boat, tug boat, or any similar watercraft moored or fastened to such dock or docks, pier or piers, and that said ladders shall be so constructed or manufactured that they shall have a carrying or bearing or resisting power or strength sufficient to bear a weight of at least six hundred (600) pounds. Failure to provide such ladder leading to the deck of each vessel as aforesaid shall be punishable by a fine of one hundred dollars in each instance in which said person, persons, company, companies, corporation or corporations shall be found guilty of violating the provisions of this act.

Penalty.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 48.

A Supplement to an act entitled "An act respecting the Prerogative Court, and the power and authority of the ordinary (Revision of 1900)."

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

Vice-ordinaries.

1. Every vice-chancellor shall be a vice-ordinary during his term of office as vice-chancellor.

References to, by ordinary.

2. The ordinary may refer to any vice-ordinary any cause or other matter which at any time may be pending in the Prerogative Court, to hear the same for the ordinary, and report thereon to him and advise what order or decree should be made therein; and any matter or cause in which the ordinary is interested may be so referred. The ordinary may also, by general rule, provide for the reference of causes, matters and proceedings, pending or future, to the vice-ordinaries.

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

4. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 49.

An Act to enable villages in this State to acquire lands and to erect buildings thereon for municipal uses and purposes, and to alter, improve and enlarge buildings heretofore erected for municipal uses and purposes in villages, and to issue bonds to pay the cost thereof.

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

Acquire land and erect buildings for municipal use.

1. It shall be lawful for the governing body of any village in this State to acquire lands and to erect buildings thereon for municipal uses and purposes, and to alter, improve and enlarge buildings heretofore erected for municipal uses and purposes in villages. The total cost of acquiring said lands and the erection of buildings thereon, together with the cost of altering, improving and enlarging buildings heretofore erected shall not exceed the sum of one-half of one per centum of the assessed valuation of the taxable ratables of said village.

Bond issue.

2. It shall be lawful for the governing body of such village to raise money for the purpose aforesaid by the issuing of the bonds of such village; such bonds may be registered or coupon bonds, which bonds shall be denominated as "Public Building Bonds" and shall state upon their face the purpose for which they were issued. The term for which said bonds shall run shall not be longer than thirty years, and shall be of a denomination of not less than five hundred (500) dollars, and shall bear interest at a rate not exceeding five per centum per annum and shall not be sold at less than par.

Time.

Rate.

Sinking fund.

3. In order that such bonds may be paid at ma-

turity, the trustees of such village shall provide a sinking fund sufficient to pay such bonds at maturity, but not less than two per centum of the face value of the bonds shall be raised annually by taxation at the time and in the manner provided for the raising of other moneys to be raised by taxation in such village. The moneys so raised for sinking fund purposes shall be paid to the commissioners of the sinking fund of said village, to be used by them for the purposes herein mentioned.

Temporary loans negotiated.

4. For the purpose of defraying the costs and expenses of acquiring lands, erecting buildings and altering buildings heretofore erected for municipal uses and purposes as authorized by this act, the governing body of said village may borrow money and secure the payment of the same by issuing temporary loan bonds of such village, which temporary loan bonds may be renewed from time to time until the erection of buildings, alterations, improvement and enlargement be finished; and shall be paid off out of the proceeds of the public building bonds hereinabove provided for.

Total cost determined.

5. In determining the total cost of the acquiring of lands and of the work authorized by this act, all interest paid or accrued on such temporary loan bonds shall be included.

6. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 50.

An Act to regulate aviation exhibitions at public assemblies.

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

Use of flying machines.

1. No person shall drive or otherwise operate a motor-driven aërial machine in any exhibition or contest in which any such machine may be entered over that portion of exhibition grounds set aside or reserved for seating or otherwise entertaining spectators.

Course of flight indicated.

2. At any public assembly where any exhibition or demonstration by flight is held or made of any motor-driven aërial machine, a course shall be provided for such machine which shall not be over that portion of the place or grounds in which space is provided for seating or otherwise entertaining spectators, and no person operating any such machine shall intentionally or wilfully guide or direct his machine in or over any such prohibited district. Any person or corporation holding any such exhibition or who shall provide the same shall establish standards or other marks indicating the course to be followed.

Penalty.

Any driver or operator of any such machine or any person conducting any such exhibition or managing or directing the same, who shall violate any of the provisions hereof, shall, upon conviction thereof before any justice of the peace, recorder or other officer having jurisdiction over breaches of the peace, pay a fine of any amount not exceeding two hundred dollars or be imprisoned in the city or county jail for any period not exceeding ninety days, or both, in the discretion of the officer having jurisdiction thereof.

3. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 51.

An Act to validate and confirm any election heretofore held in any borough under the authority of an act entitled "An act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts amendatory thereof and supplemental thereto, for the adoption of a proposition to issue bonds and to validate and confirm all bonds, contracts or other obligations issued, authorized or made pursuant to any such proposition so adopted.

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

Bond issue validated.

1. Whenever heretofore under the authority of an act entitled "An act relating to boroughs (Revision 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts amendatory thereof and supplemental thereto, an election has been called and held in any borough for the adoption of a proposition to issue bonds, and a majority of the votes cast at such election have been in favor of the adoption of such proposition, said election and the proposition so adopted are hereby validated and legalized, not withstanding any defect, omission or irregularity in the manner of submitting such proposition or other proceeding calling such election, or in the giving of notice or the conduct of such election or in the canvass or filing of the result thereof. All bonds, contracts or other obligations issued, authorized made or entered into pursuant to the proposition so adopted, are hereby validated, legalized and confirmed.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 52.

An Act respecting right or rights of way over State lands.

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

Agreement respecting right of way over state lands.

1. In all cases where land is acquired by the State pursuant to any law and the owner or owners of any portion of the land adjacent thereto has or have not a prescribed right of way from his or their said lands and over the land so acquired by the said State to any public highway the said owner or owners of the lands and the State Treasurer and the State Comptroller, representing the State, may agree upon a right of way, which said agreement shall be reduced to writing and signed by the parties thereto and filed and recorded in the office of the county clerk as deeds and mortgages are filed and recorded.

Agreement filed with county clerk.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 53.

An Act for the relief of William B. Turner, formerly a deputy keeper at the New Jersey State Prison.

Preamble.

WHEREAS, William B. Turner, a resident of Port Reading, county of Middlesex, State of New Jersey, and formerly of the city of Trenton, State of New Jersey, while on duty and in the regular discharge of his duties at the New Jersey State Prison, was injured by a prisoner confined in the said New Jersey State Prison, and the said injury incapacitated him from performing any duty from the twenty-ninth day of December, one thousand nine hundred and ten; and

WHEREAS, By reason of said injury, the Board of Inspectors of the said New Jersey State Prison granted the said William B. Turner leave of absence with full pay for the months of January, February, March, April and May, one thousand nine hundred and eleven, and by virtue of the permanent nature of the disability incurred by the injury, was retired from the service of the State, under and in accordance with the law as recited in chapter 149, laws 1910, commencing on the twenty-second day of August, one thousand nine hundred and eleven; and

WHEREAS, The Salary accruing to the said William B. Turner, between the ending of said leave of absence and retirement from the State, being two months and twenty-one days, amounting to two hundred thirty-five dollars and sixty-one cents, was not paid by the authorities of the New Jersey State Prison; therefore,

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

Appropriation for accrued salary.

1. There be included in the act making appropriations for the State government for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen, the sum of two hundred thirty-five dollars and sixty-one cents, to be paid to the said William B. Turner, by the Treasurer of the State, upon the warrant of the Comptroller, upon the presentation of proper certificates.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 54.

An Act to amend an act entitled "An act for the establishment of farms for the propagation of game and fish," approved May first, nineteen hundred and eleven.

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

Section 1 amended.

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

Establish hatchery and game preserve.

1. The Board of Fish and Game Commissioners is hereby authorized to purchase suitable lands and erect buildings thereon within this State for the purpose of propagating game and fish; the said lands and buildings shall be in charge of competent persons who shall engage such additional help from time to time as may be actually necessary, and such additional help shall be engaged only by permission of the Board of Fish and Game Commissioners. The salary of the head gamekeeper and the superintendent of the hatchery shall not exceed nine hundred dollars per year, payable monthly, and the total amount of salaries of the head gamekeeper, the superintendent of hatcheries and all additional help employed at the game farms and fish hatcheries shall not exceed in any one year the to-

Management.

Salaries.

tal amount of nine thousand dollars. The cost of the hatchery or hatcheries and game farm or farms complete shall not exceed forty thousand dollars; all expenses incurred in carrying out this act shall be paid by the State Treasurer on warrants of the Comptroller on bills properly approved by said board out of the receipts of said board, received through said board. Limit to cost.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 55.

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, one thousand nine hundred and three.

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

1. Section twenty-seven of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 27 amended.

27. It shall be unlawful to take, catch, kill or have in possession any black bass, Oswego bass, white bass, calico bass, crappie or pike perch, excepting only from the fifteenth day of June to the thirtieth day of November, both dates inclusive, of each year, under a penalty of twenty dollars for each fish so caught, taken, killed or had in possession. Season for bass.

2. Section twenty-eight of the act of which this act is amendatory be and the same is hereby amended to read as follows: Section 28 amended.

28. It shall be unlawful to take, kill, catch or have in possession any pike or pickerel, excepting only from the twentieth day of May to the last day of November, both dates inclusive, of each year, un- Season for pickerel.

der a penalty of twenty dollars for each fish so caught, killed, taken or had in possession.

3. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 56.

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, nineteen hundred and three.

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

Section 29 amended.

1. Section twenty-nine of the act of which this act is amendatory is hereby amended so as to read as follows:

Season for trout.

29. It shall be unlawful to catch, kill, take or have in possession any brook trout, except only from the first day of April to the fifteenth day of July, both dates inclusive, in each year, under a penalty of twenty dollars for each fish so caught, killed, taken or had in possession. *Provided, however,* that trout which have been artificially propagated may be sold at any time for food purposes, if properly tagged, pursuant to the authority and in accordance with regulations now or hereafter adopted by the Board of Fish and Game Commissioners of this State, or of any duly authorized board, commission or officer of any other State in which such trout shall have been propagated. Said tag shall be removed only by the consumer, and when so removed shall be destroyed.

Proviso.

2. This act shall take effect immediately.

Approved February 27, 1913.

CHAPTER 57.

A Supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

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

Provisions for eliminating grade crossings.

1. Whenever a public highway and a railroad cross each other at the same level and it shall appear to the board that such crossing is dangerous to public safety, or that the public travel on such highway is impeded thereby, the Board of Public Utility Commissioners may order the company operating such railroad, within such time as said board may fix, to alter such crossing according to plans to be approved by said board, by substituting therefor a crossing not at the grade of such public highway either by carrying such public highway under or over such railroad, or by reconstructing such railroad under or over such public highway, or by vacating, relocating or changing the lines, width, direction or location of such highway and the opening of a new highway in the place of the one ordered vacated.

Railroads to meet expenses.

2. The entire expense of such alterations, changes, relocation or opening, including damages to adjacent property, shall be paid by such railroad, unless a street railway uses such crossing, in which event the board may order not exceeding ten per centum of such expense directly chargeable to the crossing used by the street railway company, to be paid by the company operating such street railway and the balance to be paid by the company operating such railroad.

Part chargeable to trolley roads.

Portion of expenses borne by municipalities.

3. The expense of removing, relaying or relocating any municipal water or sewer pipes or other municipal pipes, conduits or subways, shall be borne by the municipality owning the same and also the expense of paving, curbing and flagging the highway constructed as the result of the change of grade.

Portion of expenses borne by public utility companies.

4. Where the order of said board shall require changes in, or the removal of the property or constructions of any telegraph, telephone, gas, electric, lighting, power, water, oil, pipe lines or other company or corporation, co-partnership or individual, they shall, at their own expense, move or change the grade or location of their property or constructions in conformity with the order of said board. They shall be deemed parties in interest and shall be given notice of hearing and an opportunity to be heard.

Petition for removal.

5. The board or body having charge of the finances of any municipality wherein any such crossing exists, may present to the Board of Public Utility Commissioners a petition in writing setting forth the facts upon which relief under this act is sought, or upon the petition of any railroad company whose tracks cross or are crossed at grade, or said Board of Public Utility Commissioners may, of its own motion, proceed with respect to any such crossing; whereupon said Board of Public Utility Commissioners shall fix a time and place for a hearing before it and shall give such notice thereof as it shall deem reasonable to the municipality and corporations, co-partnership or individuals interested therein and after such hearing, shall determine or order what, if any, alterations to or changes in or connected with such crossing and public highway shall be made.

Hearing.

How powers, etc. vested.

6. All the powers, supervision, regulation of, jurisdiction and control over public utilities granted by the act to which this is a supplement, are hereby vested in the Board of Public Utility Com-

missioners and courts of this State as may be necessary to carry the provisions of this act into effect.

7. This act shall take effect immediately.

Approved March 12, 1913.

JAMES F. FIELDER,
President of the Senate Acting Governor.

CHAPTER 58.

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

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

1. Section ninety-seven of the act to which this act is an amendment be and the same hereby is amended to read as follows: Section 97 amended.

97. The legal voters of any school district incorporated as provided in section eighty-four of the act to which this act is an amendment may, either at the annual meeting of said district or at a special meeting thereof called for that purpose, by the vote of a majority of the legal ballots cast, authorize the board of education to issue bonds of the district for purpose of purchasing or taking and condemning land for school purposes, or building a schoolhouse or schoolhouses, or making additions, alterations, repairs or improvements in or upon any schoolhouse and the lands upon which the same shall be located, and of purchasing school furniture and other necessary equipment. Such bonds shall be issued in the corporate name of the district for such sums and in such amounts and payable at such times but not more than thirty years from date Issuance of bonds. Purpose. Description.

thereof, as directed by a majority of the legal ballots cast, with interest at a rate not exceeding six per centum per annum, payable half-yearly. Said bonds may be registered or coupon bonds, or may be registered and coupon bonds combined, and shall be signed by the president of the board of education and attested by the district clerk; shall bear the seal of the district, and, in the case of coupon bonds, shall have coupons attached for current payment of interest, which coupons shall be signed by the district clerk and shall be numbered to correspond to the several bonds to which they shall severally be attached. Bonds so issued shall be numbered and a proper registry thereof shall be kept by the district clerk. Such bonds may be sold at public or private sale for the best obtainable price, but not less than par.

Rate.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 59.

A Supplement to an act entitled "An act making apropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

1. Nothing in section three of the above entitled act shall be construed to apply to the moneys appropriated by the following section in item thirty of the above entitled act: "For construction of armory for first battalion, fifth regiment, at

Section how construed.

Orange, pursuant to chapter forty-five, laws of one thousand nine hundred and eleven, twenty-five thousand dollars."

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 60.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

Section, how construed.

1. Nothing in section three of the above entitled act shall be construed to apply to the moneys appropriated by the following section in item thirty of the above entitled act: "For construction of armory for Battery B, Field Artillery, Camden, pursuant to chapter twenty, laws of one thousand nine hundred and ten, twenty-five thousand dollars."

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 61.

An Act to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act relative to the State House and adjoining public grounds," passed May twenty-fifth, one thousand eight hundred and ninety-four,' approved April third, one thousand nine hundred and two," approved April twenty-seventh, one thousand nine hundred and eleven."

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

Section 1 amended.

1. Paragraph one of the act referred to in the title of this act is hereby amended to read as follows:

Acquisition of certain property adjoining state house grounds.

1. The Governor, Treasurer and Comptroller, constituting the State House Commission, are hereby authorized to acquire, by gift, grant, purchase, condemnation, through a municipal action, or in any other lawful manner, in the name of the State and for its use, so much land in the city of Trenton, with the buildings thereon erected, lying between West State street and the Delaware river, between the State House grounds, as at present laid out, and Willow street, and in addition that tract of land extending in an easterly direction one hundred feet from Willow street, bounded on the west by Willow street, on the south by West Lafayette street, bounded on the north by Front street, as in their discretion, they may think desirable; *provided, however,* that the right of condemnation shall not extend to any premises fronting on State street.

Proviso.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 62.

An Act to amend an act entitled "An act to provide for the permanent improvement and maintenance of public roads in this State (Revision of 1912)," approved April fifteenth, one thousand nine hundred and twelve.

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

1. Section twenty of said act is hereby amended so as to read as follows: Section 20 amended.

20. Whenever any road, or section of road heretofore constructed by the board of chosen freeholders, shall lie within the corporate limits of any city, said road shall be exclusively under the jurisdiction and control of such city, and shall be repaired and maintained by the same; *provided, however,* that this provision shall not extend to roads now maintained under the act entitled "A supplement to an act entitled 'An act to authorize the board of chosen freeholders of any of the several counties in this State to lay out, open, construct, improve and maintain a public road therein,'" approved April seventh, one thousand eight hundred and eighty-eight, approved March twenty-fourth, one thousand eight hundred and ninety-eight. The word city in this and every section of this act shall be held to mean any city having by the last State or government census a population exceeding twelve thousand in number. Maintenance of roads within cities. Proviso. City defined.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 63.

A Further Supplement to an act entitled "An act to complete the geological survey of the State," approved March thirteenth, one thousand eight hundred and sixty-four.

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

Assistant geologist.

1. The board of managers of the Geological Survey of the State shall have authority, in their discretion, to designate one of the assistants of the State Geologist to be assistant State Geologist, but he shall receive no additional compensation by virtue of such designation, which may be revoked at the pleasure of the board. When authorized by the State Geologist, or in case of his inability to act, by the board of managers, the assistant State Geologist shall become acting State Geologist, and as such shall have all the powers conferred by law upon the State Geologist.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 64.

A Supplement to an act entitled "An act to enable adjoining municipalities other than cities, lying in the same county, to consolidate and form a city," approved April eleventh, one thousand nine hundred and eight, authorizing cities so formed to issue bonds to fund the floating, bonded and other indebtedness thereof and of any municipality superseded thereby and validating and confirming all proceedings heretofore taken by any such city for said purposes.

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

Consolidated city may issue bonds.

1. Any city formed or incorporated under and by virtue of an act of the Legislature of this State, entitled "An act to enable adjoining municipalities other than cities, lying in the same county to consolidate and form a city," approved April eleventh, one thousand nine hundred and eight, may, for the purpose of funding floating indebtedness of such city and the matured and maturing bonds and improvement certificates of said city or of the municipalities to which said city has become the successor or has superseded, issue and sell the bonds of such city under and pursuant to and in the form and manner prescribed by "An act authorizing the incorporated cities, towns, townships, boroughs and villages 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 acts amendatory thereof, which bonds shall be made payable at periods of time not exceeding thirty years from the date of issuing the same and shall draw interest at a rate not exceeding five per centum per annum; which bonds shall be for not less than one hundred

Purpose.

Time.

Rate.

Details of issue.

dollars, nor more than ten thousand dollars each, and shall be executed under the corporate seal of said city, and shall be signed by the mayor and by the city treasurer or other principal financial officer thereof (if any) and attested by the clerk; and which bonds shall have coupons attached for every half year's interest until due or may be registered at the option of the holder; which coupons, if attached, shall bear the name of the said mayor, city treasurer or other principal financial officer of said city (if any) and clerk of the said city, and shall be numbered to correspond to the bond to which they shall be respectively attached; and all bonds issued under this act shall be numbered and a register of such numbers, the date of said bonds, the date of issuing and the time of payment shall be made by or under the direction of the city treasurer or other principal financial officer (if any), otherwise by or under the direction of the clerk of such municipality in a book provided for that purpose; all such bonds shall recite either that they are issued under the said act approved March twenty-third, one thousand eight hundred and ninety-nine, or that they are issued under this act, and the ordinance authorizing the issuance of the same and shall set forth the date upon which such ordinance was adopted, which recital shall be conclusive evidence of their validity and the regularity of their issue; *provided*, that in order to redeem the bonds issued in pursuance of this act at their maturity, it shall be the duty of the governing body of such city to establish a sinking fund which shall be created by a special tax of not less than three per-centum upon the issue herein provided for to be raised in the annual tax levy or from the collection of assessments for improvements in cases where the indebtedness was originally incurred to pay for local improvements assessable upon lands particularly benefited, or from a tax upon the lands and property of any municipality superseded by such city whose debts are refunded by such issue or by

Proviso.

any or all of said methods, at the option of the governing body thereof; *and provided further,* that the coupons attached to the said bonds may at the option of the governing body of any such city, bear the name of the treasurer or principal financial officer only, without the name of any other officer. Proviso.

2. The interest on the bonds hereby authorized to be issued shall be raised by a special tax annually levied and collected with the other taxes of such municipality, and the whole of each year's interest shall be so raised, levied and collected each year, and the governing body of such city may dispose of said bonds at public or private sale for the best price that can be obtained for the same, but at not less than their par value. Interest.

3. Any and all proceedings heretofore taken by any such city for the issuance of bonds in conformity with this act or in conformity with said act approved March twenty-third, one thousand eight hundred and ninety-nine, and any and all bonds issued in compliance with the terms of this act or of said act of one thousand eight hundred and ninety-nine for any of the purposes aforesaid by any such city in good faith for value received, since the eleventh day of April, one thousand nine hundred and eight, are hereby ratified and confirmed and any and all bonds heretofore issued or hereafter to be issued pursuant to such proceedings shall be the valid and effectual obligations of such city as has issued or may issue the same; and this act shall be deemed a public act and shall take effect immediately. Bonds heretofore issued validated.

Approved March 12, 1913.

CHAPTER 65.

An Act to amend "An act respecting the Orphans' Court, and relating to the powers and duties of the ordinary, and the Orphans' Court and surrogates (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Section 16 amended.

1. Section sixteen of the act of which this is an amendment be and the same is hereby amended so that the same shall read as follows:

How deposition of non-resident may be taken.

16. If any subscribing witness to a will shall reside out of this State, whose testimony is material, the surrogate, Orphans' Court, or ordinary, before whom such will shall be produced for probate, may issue a commission annexed to such will, and directed to the judge of any court of law, mayor, recorder, or other chief magistrate of any city or town, where such witness may be found, or to any Consul or Vice Consul of the United States, stationed in any foreign state or kingdom, or to any master in chancery of New Jersey, or to any notary public, commissioner of deeds, attorney or counsellor at law duly admitted to practice in this State, specially deputized by any such surrogate, Orphans' Court or ordinary, authorizing the taking of the deposition of such witness to the said will; and the deposition of such witness taken under oath or affirmation, and duly certified by the person to whom such commission shall be directed, shall have the same operation as if the same had been taken before the surrogate, court or ordinary who issued such commission.

Validity of deposition.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 12, 1913.

CHAPTER 66.

An Act to regulate the payments of salaries of State employees and employees in the several counties classified as State employees.

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

1. All State employees of this State shall be paid semi-monthly. State employees.

2. All employees employed in the several counties and classified as State employees shall be paid semi-monthly. State employees in counties.

3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 12, 1913.

CHAPTER 67.

Supplement to an act entitled "An act concerning disorderly persons (Revision of 1898)."

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

1. Any person or persons who shall operate an automobile or motor or any other vehicle over any public street or highway while under the influence of intoxicating liquors shall be adjudged to be a disorderly person, and upon conviction thereof shall Operating vehicles by intoxicated drivers. Penalty.

be punished by an imprisonment of not less than thirty days and not more than six months.

Repealer.

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

Approved March 12, 1913.

CHAPTER 68.

An Act to reimburse the Town of Kearny for moneys laid out and expended in the construction of a sewer in Brighton avenue, the construction of a sewer in Belgrove drive, and in grading, curbing, guttering and flagging of Brighton avenue.

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

Appropriation to Kearny for sewer.

1. The sum of two thousand seven hundred and twenty-eight dollars and fifty cents is hereby appropriated out of the State fund to the Town of Kearny, to reimburse said town for the moneys laid out and expended in the construction of a sewer in Brighton avenue, the construction of a sewer in Belgrove drive, and in grading, curbing, guttering and flagging of Brighton avenue through the grounds of the Home for Disabled Soldiers in the Town of Kearny; *provided,* the above amount be included in the annual appropriation law.

Proviso.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 69.

A Supplement to an act entitled "An act concerning evidence (Revision of 1900)," approved March twenty-third, one thousand nine hundred.

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

When either party may testify.

1. In any civil suit, action or proceeding in any court, any party thereto, at any time after commencement thereof may, at his option, be examined as a witness de bene esse on oath or affirmation. If any other party to such suit, action or proceeding shall thereafter die, and if such suit, action or proceeding shall be continued after the death of such other party, the examination so taken may be read in evidence notwithstanding it shall relate to transactions with or statements by such decedent.

Evidence of deceased party may be read.

Who may take deposition.

2. The deposition of any such party may, at his option, be taken before any justice of the Supreme Court, or judge of a Court of Common Pleas, or Supreme Court commissioner, or Master in Chancery of this State; *provided,* that the judge or officer before whom the deposition is taken shall cause notice to be given to the adverse party, or to his attorney or solicitor, immediately, or at such short day, and in such manner as the case, in the opinion of such judge or officer may require, to attend at the taking thereof, and to put questions and cross-examine if he shall see fit.

Proviso.

Deposition sworn to and signed.

3. Any such party deposing as aforesaid shall be sworn or affirmed to testify the whole truth, and shall, in the presence of the judge or officer taking the deposition, subscribe the testimony by him given, after the same shall have been reduced to writing or typewriting; and the deposition so taken shall be retained by such judge or officer until he delivers the same, together with a certificate stat-

Disposition of deposition.

ing what notice, if any, was given to the adverse party, with his own hand to the clerk of the court in which it was taken, or such deposition and certificate shall be, by such judge or officer, sealed up, directed and transmitted, either by mail or private messenger, to such clerk, who shall immediately open and file the same.

Oath of person transmitting deposition.

4. The person by whom such deposition shall be transmitted to such clerk, as authorized in the preceding section, shall make oath or affirmation that he received the same, sealed up, from the hands of the judge or officer by whom it was taken, designating the time and place when and where received, and that the same has not been opened or altered since he has received it.

Taken stenographically.

5. Any such deposition may be taken by a stenographer or stenographers, in the presence of the judge or other officer, before whom such deposition is taken; *provided*, that before the taking of the same such stenographer shall be sworn by such judge or officer to carefully, faithfully and impartially take said evidence and to make a true and correct transcript thereof, which oath shall be in writing and shall be attached to and be a part of the return of such judge or officer.

Proviso.

Documentary evidence.

6. Documentary evidence exhibited before any such judge or officer, or exhibits proved or identified by any such witness may be annexed to and returned with the deposition of such witness; or such judge or officer shall, if requested by the party exhibiting such documentary evidence or producing such exhibit, mark it as an exhibit in the case and return it to the party offering it, and the same shall be received in evidence in all respects as if annexed to and returned with such deposition.

Repealer.

7. All acts or parts of acts contrary to the provisions of this act are hereby repealed.

8. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 70.

An Act to amend an act entitled "An act to authorize the construction and establishment of public docks and the shipping facilities connected therewith, and the purchasing and acquiring of riparian lands and rights and other lands and rights in lands necessary therefor, or incident thereto, and for the regulation of the same in cities fronting on navigable waters of this State," approved October twenty-first, nineteen hundred and seven.

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

Title amended.

1. That the title of the act of the Legislature to which this act is an amendment, be and the same hereby is amended so as to read as follows: "An act to authorize the construction, establishment and maintenance of public docks, warehouses and other structures, wharves, piers, bulkheads, slips, basins, and shipping and transportation facilities, the acquisition of marsh lands and other lands and rights in lands, riparian lands or lands under water, and for the regulation and use of the same in cities fronting on navigable waters of this State."

Section 1 amended.

2. That section one of the act to which this act is an amendment, be amended so as to read as follows:

Action to acquire riparian rights for shipping facilities.

1. Whenever the board or body having charge of the public docks, or if there be no such board or body, then the board or body having charge of the public streets of any city fronting on navigable waters of this State, shall, by resolution, determine that it is for the advantage of the city to construct, establish and maintain public docks, warehouses and other structures, wharves, piers, bulkheads, slips, basins and shipping and transportation facilities, said board or body shall cause to be prepared

a plan or map showing the marsh lands or other lands, and riparian lands and lands under water, within any such city, in the judgment of said board necessary or advisable to be acquired or taken for the purpose of establishing said docks, warehouses and other structures, wharves, piers, bulkheads, slips, basins and shipping and transportation facilities, which lands may be, in the discretion of said board or body, of sufficient size and extent to accommodate and provide not only for the present, but for the future requirements of such city.

Section 2 amended.

3. That section two of the act to which this act is an amendment, be amended so as to read as follows:

Acquisition of rights and lands.

2. It shall be lawful for said board or body of such city, from time to time, as it shall by resolution determine for the best interest of the city, to purchase said marsh and other lands and rights therein, and riparian lands and lands under water, and riparian lands and riparian rights and such lands under water as are held by any individual or individuals, corporation or corporations, or cause any such lands and rights in lands and such lands under water, held by any individual or individuals, corporation or corporations, to be condemned in the manner provided by law; and said boards or bodies of said cities are authorized to purchase from the riparian commissioners any riparian lands or interest in lands required for the purposes of this act, and the riparian commissioners of this State are hereby given express authority and directed to sell to such cities in fee simple the lands or any part thereof; *provided, however,* that no grant shall be made by the riparian commissioners to any city of any riparian rights or interest in lands where the upland is not already owned by said city, unless three months' notice, in writing, shall be given to the owner of the upland, or published for thirty days in one of the newspapers printed, published and circulating in the city wherein the lands under water and riparian lands or in-

Proviso.

terest in lands sought to be acquired lie, to the effect that if said owner of the upland shall not apply to and obtain from said riparian commissioners a grant for said land within six months after the giving of the notice, either personally or after the first publication as aforesaid, such city will apply therefor.

4. That section three of the act to which this act is an amendment be amended so as to read as follows: Section 3 amended.

3. Whenever such city shall have acquired all or any part of the marsh lands and other lands, riparian lands or lands under water, shown on said map or plan, it shall, through said board or body, have full authority to construct, establish and maintain docks, warehouses and other structures, wharves, piers, bulkheads, slips, basins, roads, railroads, railways, bridges and other shipping and transportation facilities thereon or in the waters adjacent thereto, and shall have full authority to fill in said lands and make and construct waterways upon or over said lands reaching to the main channel of said navigable waters upon which said lands front, and may also acquire additional lands for the purpose of connecting said docks with the highways and railroads within the city and with other public docks, if any, of the said city, or for reclamation, filling in, and use of the same, and may upon the additional lands so acquired construct waterways, railroads, highways and bridges, or may fill in and reclaim or otherwise improve the same and likewise construct thereon all other appliances necessary or convenient for the purpose of affording proper and convenient access to said docks and other shipping and transportation facilities from the railroads and highways and other docks in said city, and upon lands adjacent to said waterways, railways, railroads and highways to erect wharves, docks and other structures proper or necessary for the furnishing of shipping and transportation facilities; *provided,* that no more than two million

Authority to construct wharves, basins, bridges, etc.

Make fills.

Connecting roads.

Reclamation.

Necessary approaches.

Proviso.

dollars shall be spent by the board or body having charge of public docks in any city under the authority of this act.

Section 5 amended.

5. That section five of the act to which this act is an amendment be amended so as to read as follows:

Provision for securing funds.

5. The moneys necessary for the purchase or condemnation of lands, rights in lands or other property, and for the construction and establishment of wharves, docks, buildings, waterways, basins, railways and roads, and for all other purposes of this act, shall be provided and raised by the body or board having charge of the finances of such city, upon the order, by resolution of the board or body having charge of public docks; and for the purposes of raising said moneys the board or body having charge of the finances of said city may, from time to time, as may be necessary, borrow money on temporary loan bonds at a rate not exceeding five per centum per annum, retiring the same as the bonds hereinafter authorized to be issued are issued and sold.

Temporary bonds.

Section 6 amended.

6. That section six of the act to which this act is an amendment be amended so as to read as follows:

Issue corporate bonds known as dock bonds.

6. To provide for the payment of the costs and expenses incurred or to be incurred for the purchase of lands, rights or interest in lands, or other property and rights, and for the construction and establishment of wharves, docks, basins, canals, railways and other structures authorized under this act, and for the retirement of temporary loan bonds, authorized to be issued under section five of this act, the board having charge of the finances of such city shall have power from time to time to issue the corporate bonds of said city, in an amount not exceeding the total cost, including interest, of the whole work; said bonds shall be called dock bonds; they shall be issued under the corporate seal of the city, attested by the city clerk and signed by the mayor; they shall be in the form and in the denomination and payable at such times, not ex-

Amount.

ceeding fifty years, and at such place, either in currency or coin, as said financial board may determine, and such bonds shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and may be either coupon or registered bonds; and all such bonds may be negotiated, sold and disposed of at not less than their par value. And the said board having charge of the finances of such city shall provide a proper and suitable sinking fund, not exceeding in amount in any one year two per centum of the face value of the bonds issued, which sum, together with the interest on said bonds, except as hereinafter provided, shall be raised annually as other taxes are raised in said city.

Time.

Rate.

Sinking fund.

Approved March 12, 1913.

CHAPTER 71.

Supplement to an act entitled "An act concerning townships" (Revision of 1899), approved March twenty-fourth, eighteen hundred and ninety-nine.

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

1. And the township committee of any township shall have power and authority, in addition to the powers heretofore conferred upon it by ordinance, to vacate any street, avenue or highway, or any part or section thereof whenever a petition therefor, in writing, shall be presented to the township committee at a meeting thereof signed by at least ten freeholders of the said township, which petition shall state briefly the street, avenue or highway or part or section thereof to be vacated, and upon receipt of said petition by the said township committee or the clerk thereof, said township com-

Vacate highways.

Petition.

Ordinance.

mittee may at any meeting thereof introduce an ordinance which shall go to first reading at such meeting at which it is introduced in compliance with any petition that may be presented for that purpose, and the final reading and passage may be had at the next meeting or adjourned meeting of the said township committee, provided the next meeting or adjourned meeting is held three days subsequent to the meeting at which said ordinance is introduced.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 72.

An Act to enable cities of the first class in this State to provide for a city plan commission and provide funds for the same and defining the duties thereof.

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

City plan commission.

1. In cities of the first class it shall be lawful for the mayor to appoint a commission to be known as the "City Plan Commission," to consist of not more than nine citizens of such city, and the terms

Term begins.

of office of all of such commissioners shall begin upon the first day of January next succeeding the date of their appointment in such city.

Terms.

Whenever commissioners shall be appointed under this act, the terms of such commissioners shall be divided into classes of one, two and three years, and the mayor shall designate which of such commissioners shall hold such respective terms under the first appointment, and shall divide the said commissioners, as nearly as may be, into such classes, and said commissioners first appointed as

aforesaid shall hold their terms for one, two and three years respectively.

All subsequent appointments shall be for the term of three years, and in case any vacancy arises the apointment to fill the same shall be for the unexpired term. Full term.

Any city plan commission now existing in any such city shall be continued, but with the powers and duties herein provided, until the appointment of new commissioners, under the provisions of this act. Existing commission continued.

2. Such commissioners shall serve without pay, and it shall be the duty of such commission to prepare, from time to time, plans for the systematic and further development and betterment of such city. It shall have the power and authority to employ experts, clerks and a secretary, and to pay for their services, and to pay for such other expenses as such commission may lawfully incur under the powers hereby granted, including the necessary disbursements incurred by its members in the performance of their duties as members of said commission; *provided, however,* that the total amount so expended in any one year shall not exceed the appropriation for such year as hereinafter provided. Duties. Assistants. Proviso.

The said city plan commission may consider and investigate any subject matter tending to the development and betterment of such city, and make such recommendations as it may deem advisable concerning the adoption thereof to any department of the municipal government, and for any purpose make, or cause to be made, surveys, plans or maps. Investigate municipal development.

3. All questions concerning the location and architectural design of any work of art, statue or other memorial within such city shall be referred to the city plan commission for its consideration and report before final action is taken thereon. All decorative designs referred to commission.

All plats or replats of any lands within the limits of such city shall be submitted to the city plan com- City plats submitted.

mission for its recommendation before the same are approved.

Appropriation. 4. It shall be lawful for the board or body having charge of the finances of any city of the first class as aforesaid, to appropriate any amount not exceeding twenty-five thousand (25,000) dollars any year that such commission may remain in existence, for the expenses of such city plan commission, and the moneys required for the expenses of said commission shall be raised by annual tax upon real and personal property as other taxes are raised in and for such city; *provided, however,* that for the fiscal year in which this act becomes effective, such moneys may be raised by said board or body having charge of the finances of such city, by appropriating for that purpose any moneys in the treasury of such city not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness; *provided,* that such bonds or certificates shall be sold at public or private sale, after due advertisement, at not less than par; which bonds shall bear interest at not more than five per centum per annum, and the payment thereof, with interest, shall be provided for in the next tax levy.

Proviso.

Proviso.

Repealer. 5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

6. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 73.

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, nineteen hundred and three.

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

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

Section 7 amended.

7. It shall be unlawful for any person to pursue any goose, duck, swan, brant, or any kinds of water wild fowl whatsoever, or to shoot, or to shoot at, or kill, or wound the same from any boat or vessel propelled by any means other than by oars or paddles, or from any sand bar not covered with water, or from any boat, vessel or other structure anchored or staked upon the waters of any of the bays, sounds, coves, ponds, rivers, creeks or streams of the State at a greater distance than one hundred feet from ice, marsh or meadow, bar or bank, or heaped seaweed not covered with water, under a penalty of twenty dollars for each offense.

Pursuit of water fowl.

Penalty.

2. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 74.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Forfeiture of office.

1. Any person holding an office, elective or appointive, under this State, or any county or municipality thereof, who shall be convicted upon, or who shall plead guilty, non vult or nolo contendere to, an indictment or allegation charging such person with the commission of a misdemeanor or high misdemeanor touching the administration of his office, or which involves moral turpitude, shall forfeit such office and cease to hold the same from the date of such conviction or entry of such plea as aforesaid.

Restoration on reversal.

2. If the conviction against such officer be reversed, he shall be restored to his office with all the rights and emoluments thereof from the date of such forfeiture; but a pardon shall not have such effect.

3. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 75.

An Act to amend an act entitled "An act respecting conveyances" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

1. Section twenty-six of the act of which this is an amendment be amended to read as follows: Section 26 amended.

26. The commissioners appointed as aforesaid shall be commissioned by the Governor, and hold their offices for five years; but in case any commissioner now holding such commission, or any commissioner that may hereafter be appointed, shall remove out of the city, town, township, or borough, in which he shall reside at the time of his appointment, his commission shall thereupon become void, and further, all commissioners appointed as aforesaid, may be removed from office by the Governor for malconduct during the time for which they were appointed to said office; and any commissioner of deeds desiring to resign his office during the recess of the Legislature may do so by sending his resignation to the Governor, who shall upon accepting the same, file it with the Secretary of the State. Term of commissioners. Removal to vacate commission. Removal for mal-conduct. Resignation.

2. This act shall take effect immediately.

Approved March 12, 1913.

New Jersey State Library

CHAPTER 76.

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

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

Additional normal school.

1. There shall be established and maintained an additional State normal school for the purpose of training and educating persons in the science of education and art of teaching. The name and title of said school shall be "The New Jersey State Normal School at (here insert the name of the place where said school shall be located.)" Tuition in said school shall be free.

Control.

2. The State Board of Education shall have control and care of said school in the same manner and to the same extent as said board has control and care of the State Normal Schools now maintained in this State.

Situation.

3. The State Board of Education shall purchase a suitably located site in one of the counties south of Mercer county, and shall erect thereon a building or buildings for the use of said normal school.

Work done by contract.

Authorization.

4. The erection and furnishing of said building or buildings shall be done by contract. Said board may employ superintendents and mechanics, advertise for proposals, make a contract or contracts for the whole or any part of said work, and incur all necessary expenses to carry out the provisions of this act.

No expenses incurred until appropriation made.

5. No expense shall be incurred or moneys expended until an appropriation therefor shall have been made by the Legislature in an annual appropriation act.

6. The said board shall make to the Legislature at each session, until said building or buildings shall be completed, a full and detailed report of its proceedings and expenditures under this act. Reports.

7. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 77.

An Act to amend an act 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 supplement was approved March twenty-eighth, nineteen hundred and twelve.

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

1. The act to which this is a supplement be and the same is hereby amended to read as follows:

2. No map, plat, plan or chart of lands showing lots or streets, avenues, roads, lanes or alleys shall be accepted for filing by the clerk of the Court of Common Pleas or register of deeds, wherever such office exists, in any of the several counties of this State, unless the streets, avenues, roads, lanes or alleys shown on such map, plat, plan or chart shall have been first approved by a resolution passed by the council, board of aldermen, township committee or other governing body having control of streets and highways of the municipality within the limits of which the lands lie wholly or in part. Streets, etc., plotted must be approved before filing with county clerk.

3. All such maps, plats, plans or charts shall be filed in duplicate with the governing body having control of streets and highways of the municipality, and when the same have been approved by the said governing body one copy of the map, plat, or plan or chart, together with the resolution approv- Maps, etc., filed in duplicate.

ing the same, shall be forwarded to the clerk of the Court of Common Pleas or register of deeds, wherever such office exists, for filing (with the approval of the said governing body endorsed thereon), whereupon the same shall be filed as now provided by law.

Time limit for approving.

4. Whenever any such map, plat or plan or chart shall be filed for approval with the governing body of any municipality, the said governing body shall approve or disapprove the same within thirty days from the receipt thereof; *provided,* that the approval of any such map, plat or plan or chart shall in no wise be construed as an acceptance of any road, street or highway indicated thereon, nor shall such approval in any way obligate the State of New Jersey, any county or other municipality therein to maintain or exercise jurisdiction over said streets, roads or highways.

Proviso.

5. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 78.

An Act concerning assessments for benefits conferred by the construction of sewers or drains in cities of this State.

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

Manner of levying sewer assessments.

1. In any city of this State where assessments for benefits for street improvements are made by commissioners of assessments for street improvements appointed by the governing body of such city, assessments for benefits conferred by the construction of sewers or drains in such city shall be made and levied in the same manner that assessments for benefits for street improvements are made and levied.

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

Approved March 12, 1913.

CHAPTER 79.

An Act to provide for the holding of municipal exhibits in cities of this State, and to provide funds to defray the expenses of the same.

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

1. It shall be lawful for the several boards, bodies or departments comprising the government of any city in this State to hold annually, at such time and in such place as may be determined in the manner hereinafter set forth, a municipal exhibit, at which the various boards, bodies or departments of the said city government may exhibit, in such manner as they may deem proper, the work, accomplishments, expenditures and general activities of their respective departments, both present and prospective. Municipal exhibition of civic work.

2. The municipal exhibit provided for in the foregoing section shall be under the direction and control of a commission composed of members of the various boards, bodies or departments of the said city government, one to be designated by each board, body or department of said city; said designation shall be made annually by the said boards, bodies or departments respectively, and those so designated shall have power to choose a president and such other officers as they may deem proper, all of whom, however, shall serve without any compensation in addition to that which they are then receiving from the city. Commission on exhibits.

How expenses met.

3. The money needed to defray the expenses of holding said municipal exhibits shall be raised by the annual tax upon real and personal property as other taxes are raised in and for said city, and the amount shall be fixed and appropriated by the board or body having control of the finances of said city in the same manner as other appropriations are made in such city; *provided, however,* that if no appropriation shall have been made for the same for the first year after this act becomes effective, the board or body having control of the finances of such city may, by resolution, appropriate such sum as, in their judgment, is proper to defray the expenses of holding the said municipal exhibit during the then current fiscal year, and to provide the money for the same, either from any moneys in the treasury of said city not otherwise appropriated, or by issuing and selling temporary loan bonds or certificates of indebtedness, the payments of which shall be provided for in the next tax levy.

Proviso.

4. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 80.

An Act to amend an act entitled "An act relating to and concerning the fees and costs and the taxation thereof in the courts of law in this State," approved April eighth, one thousand nine hundred and ten.

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

Section 3 amended.

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

Costs taxed upon notice.

3. Costs may be taxed upon notice to the attorney for each adverse party who has appeared and is

interested in reducing the amount thereof. The notice must be accompanied by a copy of the bill of costs, specifying the items in one column, with the disbursements stated in detail in another column, and the notice must set forth that the accompanying bill of costs and disbursements will be presented to the clerk for taxation on a certain day and time, which must not be less than five days after the service of such notice, unless the attorneys serving and served with the notice all reside or have their offices in the city or town where the costs are to be taxed, in which case a notice of two days shall be sufficient. Proof of service of such notice shall be filed with the clerk one day prior to the day named for such taxation; *provided, however,* nothing in this section contained shall be taken to pertain or apply to any of the Circuit Courts or Courts of Common Pleas of this State.

What notice to show.

Proof of service.

Proviso.

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

Section 4 amended.

4. A. Costs may be taxed without notice, but in such case a copy of the bill of costs must immediately afterwards be served upon the attorney for each adverse party who has appeared and is interested in reducing the amount thereof, with a notice to the effect that the accompanying bill of costs has been taxed without notice, and will be presented to the clerk or the court, as the case may be, for retaxation on a day and time therein named, which must be not less than five days after the service of such notice, unless the attorneys serving and served with the notice all reside or have offices in the city or town where the retaxation is to take place, in which case a notice of two days shall be sufficient. Proof of service of such notice shall be filed with the clerk one day prior to the day named for such retaxation. In default of such notice and retaxation the court must, upon the application of the party entitled to notice, direct a retaxation, with

Costs taxed without notice.

Proof of service.

Retaxation

costs of the motion to be paid by the party in default. The court may, in its discretion, upon the application of the party interested, direct a retaxation of costs at any time. Any sum deducted upon a retaxation must be credited upon the execution or other process issued to enforce the judgment;

Proviso.

provided, however, nothing contained in part "A" of this section shall be taken to pertain or apply to any of the Circuit Courts or Courts of Common Pleas of this State.

Taxing costs in circuit and common pleas courts.

B. In all of the Circuit Courts or Courts of Common Pleas of this State all bills of cost shall hereafter be taxed without notice to, and without service of a copy or copies thereof upon the adverse party or parties, but a copy or copies of any bill of costs may be obtained by any adverse party or parties upon request for such copy or copies to the various clerks of the Circuit Courts and Courts of Common Pleas and it shall be the duty of such clerks to furnish to any adverse party or parties a copy or copies of any such bills of costs upon request therefor and without charge for the same.

Retaxation.

The court may, in its discretion, upon the application of the party interested, direct a retaxation of costs at any time. Any sum deducted upon a retaxation must be credited upon the execution or other process issued to enforce the judgment. Any and

Costs heretofore taxed valid.

all bills of costs out of any of the Circuit Courts or Courts of Common Pleas of this State heretofore taxed without notice to and without service of a copy or copies upon the adverse party or parties, or without notice to or without service of a copy or copies upon the adverse party or parties, shall be valid and of the same effect as if said notice had been given and a copy or copies had been served.

3. This act shall take effect immediately.

Approved March 12, 1913.

CHAPTER 81.

A Supplement to an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a department of weights and measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, nineteen hundred and eleven.

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

Capacity of baskets.

1. Baskets used for the sale of fruit or fruits, berries or vegetables in this State shall be of the capacities in standard dry measurements of thirty-two, twenty, sixteen, eight, four and two quarts, and for the sale of berries or small fruits shall be of the capacities in standard dry measurements of one quart and one pint.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

In effect.

3. This act shall take effect on the first day of November, nineteen hundred and thirteen.

Approved March 12, 1913.

CHAPTER 82.

An Act to authorize traction or street railway companies to construct, maintain and operate terminals in cities of the first class and to connect tracks of existing street railway systems therewith.

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

Terminal station.

1. Any traction or street railway company organized, or to be organized under any law of this State, shall be and hereby is authorized and empowered to construct, maintain and operate a terminal station in any city of the first class in this State, and for that purpose any such company shall be and hereby is authorized to purchase, acquire by condemnation in the manner now provided by law, and hold all such property, real and personal, or interest or estate therein, as may be necessary for that purpose and for constructing approaches thereto.

Subway connection.

2. In order to connect the tracks of any existing street railway system with any such terminal it shall be lawful for any company building or owning the terminal, and it is hereby authorized to construct a subway not exceeding one-half mile in length under any street, avenue, park or other public place, upon such terms and conditions as may be prescribed by the board of street and water commissioners of such city and approved by the Board of Public Utility Commissioners.

Crossing streets at right angle.

3. With the consent of such board of street and water commissioners and the approval of said Board of Public Utility Commissioners, it shall also be lawful for any such company in connecting the tracks of any existing street railway system with any such terminal by surface tracks, or by elevated tracks built on private property, or by

both, to cross at grade or overhead substantially at right angles any public street lying between such existing tracks and such terminal.

Issue stock or bonds to defray cost.

4. Any company owning or constructing such terminal shall be and hereby is authorized to provide money to defray the cost thereof and approaches thereto, including any reasonable development or improvement of the land upon which such terminal is constructed, by the issue and sale of its stock or bonds, or partly by the issue and sale of bonds and partly by the issue and sale of stock, in such proportions as the board of directors of such company may determine, and to secure the payment of any bonds issued for that purpose by mortgage or deed of trust; *provided*, that any proposed issue of stock and bonds in pursuance of this act shall be first approved by the Board of Public Utility Commissioners.

Proviso.

5. This act shall take effect immediately.

Approved March 17, 1913.

CHAPTER 83.

An Act to empower municipalities to exclude from the maximum tax rate prescribed by law the amount of interest, sinking fund and maintenance in connection with any sewer system heretofore or hereafter constructed by such municipality.

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

Interest and sinking fund not included in maximum tax rate.

1. When any municipality has heretofore constructed or shall hereafter construct any sewer system or disposal plant or works and issued bonds to pay for the same, the annual tax imposed for interest, and sinking fund for such bonds or for the operation and maintenance of such sewer system or disposal plant or works shall not be counted or

included in the limitation as to the maximum tax rate prescribed by law for such municipality.

Repealer.

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

Approved March 18, 1913.

CHAPTER 84.

An Act to incorporate the borough of Franklin, in the county of Sussex.

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

Corporate name.

1. The inhabitants of that portion of the township of Hardyston, in the county of Sussex and State of New Jersey, hereinafter set forth are hereby constituted and declared to be a body corporate in fact and in law by the name of "The Borough of Franklin," and shall be governed by the general laws of this State relating to boroughs.

Boundaries defined.

2. The boundaries of said borough shall be as follows: Beginning at the sixth corner of the survey of Sparta township, as recorded in Book B of Divisions, in Sussex county clerk's office, page 429, etc., being a hole drilled in a large limestone rock located on the east bank of the main public road leading from the village of Ogdensburg to Franklin Furnace, said rock being distant twelve feet at right angles from the center of said public road, and said point in the center of said public road being eight hundred and sixty-eight feet northerly along said road from a point in the center of said road located in the center of the culvert over which the New York, Susquehanna and Western Railroad passes, in the said village of Ogdensburg, thence (1) south fifty-five degrees and fifty minutes east five hundred feet along the sixth line of said Sparta township survey to the right of way line of the

Middletown branch of the said New York, Susquehanna and Western Railroad; thence (2) along said line of right of way of said railroad northerly the several courses and distances thereof five thousand two hundred and twenty-one feet, measured along said right of way line from the point where the Sparta township line intersects said right of way line to a point opposite station 291+335 on said Middletown branch of said railroad as measured from mile post 55 J. C.; thence (3) north nine degrees and thirty minutes east three thousand seven hundred and five feet to an iron bolt driven in a rock located on the north side of the middle one of three large rocky knolls; thence (4) north sixteen degrees and forty-nine minutes east eleven thousand three hundred and fifty feet to a point in the middle of the road leading from Hardystonville across the mountain to Stockholm, said point being opposite a large maple tree standing on the south side of said road and four hundred feet southeasterly along said road from the center of the arch of the stone bridge in the public road at Hardystonville; thence (5) north forty-one degrees and thirty minutes west four hundred feet along the center of said road to a point in the center of the Franklin Furnace and Hamburg public road, said point being the center of the arch of said stone bridge; thence (6) westerly down and along the center of the stream flowing under said stone bridge the several courses and distances thereof about two thousand five hundred feet to a point where said stream empties into the Wallkill; thence (7) up said Wallkill along the center thereof the several courses and distances of the same about one thousand four hundred feet to a point therein distant three hundred and twenty-seven feet northerly along said Wallkill from the center of a highway bridge located over said Wallkill and between the tracks of the Lehigh and Hudson River Railway and the New York, Susquehanna and Western Railroad; thence (8) south sixty-two de-

grees and forty-eight minutes west six thousand eight hundred and eight feet to a cross cut in the north abutment of the Delaware, Lackawanna and Western Railroad concrete bridge, said bridge being located eight hundred and seventy-eight feet northwesterly from the point where said last mentioned railroad crosses the Lehigh and Hudson River Railway in the village of Franklin Furnace; thence (9) south forty-four degrees and forty-three minutes west four thousand four hundred and seventy feet to a large elm tree, said tree located one hundred and sixty-four feet northerly at right angles from a point in the center of the public road leading from Franklin Furnace across the Delaware, Lackawanna and Western Railroad and the Lehigh and Hudson River Railway to Monroe Corner, and said point in the center of said public road is distant westerly four hundred feet along the center of said road from where the same is intersected by another public road leading from said point of intersection to Franklin Furnace by way of the Catholic Rectory; thence (10) south nine degrees and three minutes west six thousand and fifty-six feet to a point in the middle of the public road known as the Wild-cat road, said point being in the fifth line of said Sparta township survey; thence (11) south forty-one degrees and twenty minutes east five thousand nine hundred and ninety-two feet along the fifth line of said Sparta township survey to the place of beginning.

Referendum.

3. This act shall take effect immediately; *provided*, it shall not operate to affect the incorporation of the territory above described as a borough of this State until it shall have been accepted by a vote of the majority of the qualified voters of the said described territory voting thereon, at a special election to be held within said territory within forty days from the approval of this act, within the hours of six A. M. and seven P. M. on the day appointed and at a place within said territory to be fixed by the clerk of the said township of Hardy-

Special election.

ston. The clerk of said township shall cause public notice of the time and place of holding said election, to be given by advertisements signed by himself and set up in at least ten public places within said described territory and published in one or more newspapers printed or circulating therein at least ten days prior to such election; and said clerk shall provide for each elector voting at such election ballots to be printed or written, or partly printed and partly written, on which shall be printed the word "for" and the word "against" above and immediately preceding the title of this act; and if the word "for" be marked off or defaced upon the ballot it shall be counted as a vote against the acceptance of said act; if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed, and be conducted by the officers of the second election district of said township of Hardyston, except that no special form of ballot or envelope need be used. The officers holding such election shall make return to the township committee of said township of Hardyston of the result thereof by a statement, in writing, under their hands, and the same shall be entered at length on the minutes of said township committee; and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Notice of.

Ballots.

Election, how conducted.

Returns.

4. The register of voters of the voters within said described territory used at the general election next preceding the holding of such special election shall be used for the purpose of conducting such special election. It shall not be necessary for the board of registry and elections in said described territory to make a new registry of voters for such special election, but only to revise and correct the

Register.

register made for the last general election, and for that purpose the said board shall meet at such place within said described territory as shall be designated by the clerk of said township of Hardyston one week next preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places in said described territory. Said meetings of the board of registry and elections shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of that day, for the purpose of revising and correcting the register and adding thereto the names of all persons entitled to vote within said described territory at said special election, who shall appear in person before them and establish to the satisfaction of the majority of the board that they are entitled to vote at said election, or who shall be sworn by a written affidavit of a voter residing in said described territory to be entitled so to vote; a separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him; and on the following day one copy thereof shall be delivered to the chairman of the county board of elections of Sussex county to be filed by said board, and one copy shall be retained for use by the said board of election at such special election.

Revising register.

5. Immediately after the statement of the result of such election shall be made to the township committee of said township of Hardyston a copy thereof, certified by its clerk, shall be forthwith filed in the office of the county clerk of said county of Sussex.

Certified statement

Approved March 18, 1913.

CHAPTER 85.

A Further Supplement to an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

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

1. No corporation, firm, association, individual or aggregation of individuals, hereinafter called "insurer," doing the business of insurance within this State shall fix or make any rate or schedule of rates, or charge, demand, collect or receive, directly or indirectly, or through any special rate, tariff, drawback, rebate, concession, device or subterfuge, a rate for insurance, which discriminates unfairly between risks within this State of essentially the same hazard, nor shall any insurer against the hazards of fire or legal liability of employers make any such insurance within this State except in accordance with general basis schedules, embodying basis rates, charges, credits, terms, conditions, permits, standards and other data necessary to the computation of equitable rates and rules of practice for such insurance, which general basis schedules, embodying basis rates, charges, credits, terms, conditions, permits, standards and other data used for the determination of rates shall be filed by such insurer or its agent or expert duly authorized, with the Commissioner of Banking and Insurance within three months after this act goes into effect, or with the amendments to such general basis schedules which may be filed with the Commissioner of Banking and Insurance from time to time thereafter. Any one or more of such insurers singly or jointly may employ for the making of such general basis

Unfair discriminating rates forbidden.

Basis schedules filed.

Joint use of schedules.

schedules and rates and the filing of the same the services of such experts as it, or they, may deem advisable for such purpose.

Insurer to furnish information on demand.

Every such insurer or agent shall, within ten days after written demand therefor, furnish to any person, upon whose property or risk a rate has been made by said insurer, or to his authorized representative, full information as to such rate, and if such property or risk be rated by schedule applying particularly to each risk, a copy of such schedule, and shall provide such means as may be approved by the Commissioner of Banking and Insurance whereby any person or persons affected by such rate may be heard on an application for a change in such rate. Whenever it is made to appear to the satisfaction of the Commissioner of Banking and Insurance that any such rate or general basis schedule or amendment thereof discriminates unfairly between risks within this State of essentially the same hazard or that any insurer has made any insurance within this State at any rate not in accordance with the general basis schedule or amendment thereof filed by it, he may, after a full hearing, either before himself or before any salaried employee of the department of banking and insurance whose report he may adopt, order such discrimination removed, or such rate corrected in accordance with such general basis schedule or amendment thereof; and all such insurers affected thereby shall forthwith comply with such order; nor shall such insurers or any of them remove such discrimination by increasing the rates on any risk or class of risks affected by such order unless it is made to appear to the satisfaction of the Commissioner of Banking and Insurance that such increase is justifiable.

Correction of unfair rates.

Exceptions to act.

This supplement shall not apply to any contract of life insurance, nor to any contract of insurance upon or in connection with marine or transportation risks or hazards other than contracts for automobile insurance, nor to contracts of insurance

upon property or risks located without this State, nor to contracts of title insurance or mortgage guaranty.

Penalty.

2. Any insurer, agent, expert, person or corporation violating any of the provisions of this act shall be subject to a penalty of five hundred dollars for each and every violation to be sued for and recovered by the Commissioner of Banking and Insurance, or by any citizen of this State and paid to the State Treasurer.

Repealer.

All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Approved March 18, 1913.

CHAPTER 86.

An Act to amend an act entitled "An act to authorize and provide for the establishment and maintenance of hospitals for contagious diseases for cities in this State," approved March twenty-third, anno domini one thousand nine hundred.

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

Section 1 amended.

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

Certified declaration sent to council.

1. Whenever the board of health of any city of this State shall, by resolution passed by the votes of a majority of the members thereof, declare that it is necessary to establish and maintain in and for such city a hospital which shall be devoted exclusively to the treatment and relief of persons suffering from contagious and infectious diseases, and setting forth the estimated cost thereof, a copy of the said resolution, certified under the hands of the president or chairman and secretary or clerk of such board or body, shall be forthwith transmitted to the common council, board of aldermen, or other

board having charge and control of the finances of such city, and thereupon such financial board, by resolution, shall make an appropriation or appropriations as hereinafter mentioned; that is to say, in all cities having by the census last preceding the adoption of such resolution a population of not more than fifteen thousand, a sum not exceeding ten thousand dollars; in all cities having by such census a population exceeding fifteen thousand and not exceeding thirty thousand, a sum not exceeding the sum of twenty thousand dollars; in all cities having by such census a population exceeding thirty thousand and not exceeding one hundred thousand, a sum not exceeding the sum of seventy-five thousand dollars, and in all cities having by such census a population exceeding one hundred thousand, a sum not exceeding the sum of one hundred thousand dollars, nor shall the minimum of such appropriations be less than one fourth of the said amounts in each case respectively; for the purchase of lands, if required, and the erection and furnishing of a suitable building or buildings in and for such city by such board of health, and upon the adoption of such resolution by such financial board, such board shall from time to time issue bonds in the corporate name of such city for the amount so appropriated, which bonds shall be of such denomination as such financial board shall determine, and shall be made payable in not less than twenty years nor more than fifty years; they shall bear interest at a rate not greater than four per centum per annum, which shall be payable semi-annually and may be registered or coupon bonds, or may be registered and coupon bonds combined, at the option of said financial board; they shall be sold at public or private sale, but for not less than par and accrued interest, and there shall be raised by tax in each year the interest on the whole amount of the bonds so issued, together with at least one per centum per annum of the principal of such bonds for a sinking fund, to be paid to the

Appropriation per population.

Bond issue.

Time.

Rate.

Interest and sinking fund.

commissioners of the sinking fund of such city for the purpose of meeting the said bonds when they shall become due; there shall further be raised in each annual tax levy in any city for which such hospital is established an amount sufficient to provide for the support and maintenance of such hospital in that year; *provided, however,* that no city shall issue bonds under the provisions of this act where the amount of such bonds together with all other funded and floating indebtedness of such city then outstanding after deducting the available sinking fund thereof, shall exceed ten per centum of the valuation of the real and personal property of said city as assessed for municipal purposes for the year next prior to the incurring of such indebtedness. Proviso.

And whenever any city has already erected such a hospital but has not sufficient funds to fully furnish or equip the same out of the proceeds of bonds already sold hereunder, then in any such case the common council, board of aldermen or other board having charge of and control of the finances of said city on the request of the board of health of said city may issue additional bonds hereunder in a sum sufficient to fully and properly equip and furnish such hospital; *provided, however,* that the total of such additional bonds together with those already issued shall in no case exceed the amount authorized to be originally issued hereunder in any such city. Issue of additional bonds. Proviso.

2. This act shall take effect immediately.

Approved March 18, 1913.

CHAPTER 87.

An Act to authorize and validate bonds heretofore or hereafter issued to pay the cost and expenses of laying sidewalks constructed under authority of an act entitled "An act concerning townships (Revision of one thousand eight hundred and ninety-nine)," approved March twenty-fourth, one thousand eight hundred and ninety-nine, and the acts amendatory thereof and supplemental thereto.

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

Bonds issued for sidewalks validated.

1. All bonds heretofore or hereafter issued by any township of this State to pay the cost and expense of laying sidewalks constructed under proceedings under authority of an act entitled "An act concerning townships (Revision of one thousand eight hundred and ninety-nine)," approved March twenty-fourth, one thousand eight hundred and ninety-nine, and the acts amendatory thereof and supplemental thereto, are hereby authorized, validated and confirmed as valid and legally binding obligations of said township in all cases where the proceeds thereof have been or shall be applied for the purpose of paying for the laying of sidewalks heretofore contracted for, constructed and completed in such township, under authority of the act aforesaid, and the acts amendatory thereof and supplemental thereto, or to take up and pay improvement certificates heretofore issued to pay the cost of laying sidewalks constructed in such township under the authority of the act aforesaid and the acts amendatory thereof and supplemental thereto, notwithstanding any irregularities that may or shall exist in the wording of or any irregularities or defects in the passage and approval of the ordinance or ordinances providing for such im-

provement, or the ordinance or ordinances, resolution or resolutions, providing for or authorizing the issuance of said improvement certificates or bonds, and notwithstanding any defect or irregularity in the advertisement for bids for performing such improvement, or in the awarding of the contract or contracts for such improvement or in the notice of the holding of any meeting at which any such ordinance or resolution was introduced, considered or passed; *provided,* that nothing in this act contained shall authorize the issuance of bonds in excess of the amount now provided by law, or to authorize the issuance of bonds in excess of the cost of such improvement, including damages and lawful expenses. Proviso.

2. This act shall take effect immediately.

Approved March 18, 1913.

CHAPTER 88.

An Act in relation to the control of public baths and bathhouses in cities of the first class in this State and vesting the control and management thereof in the board of playground commissioners of such cities.

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

1. In cities of the first class of this State, where a board of playground commissioners now exists or hereafter may be appointed, such board of playground commissioners shall have exclusive control and management of the public baths and bathhouses now erected and maintained and hereafter to be erected and maintained in any such city, with full power and authority to improve, repair, manage, maintain and control the same, and, with the approval of the mayor, to pass, enact, alter, amend and repeal ordinances and rules and regulations Bathing facilities controlled by playground commissioners.

for the use of the same by the citizens and inhabitants of any such city, and prescribe fines and penalties for the violation thereof, and to fix the amount of the same.

Control vested in boards.

2. In such cities of the first class, now having boards of playground commissioners, immediately upon this act taking effect, the control and management of all public baths and bathhouses shall forthwith vest in such boards.

3. This act shall take effect immediately.

Approved March 18, 1913.

CHAPTER 89.

A Supplement to an act entitled "An act to provide for the appointment of probation officers and to define their duties and powers," approved April second, one thousand nine hundred and six.

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

Probation officer and assistants.

1. In any county of the first class, if the interests of justice require and to carry out the purpose of the act to which this act is a supplement, there may be appointed, upon application of the chief probation officer, as many assistant probation officers as may be needed, not exceeding five, in addition to those already authorized by law, and said assistant probation officers may be appointed, the salaries fixed and paid in the manner provided in the act to which this act is a supplement. Two or more of said assistant probation officers may be women.

2. This act shall take effect immediately.

Approved March 18, 1913.

CHAPTER 90.

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, eighteen hundred and seventy.

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

Disposition of game, eggs, etc.

1. The Board of Fish and Game Commissioners shall have the power to sell, exchange, or otherwise dispose of, any fish or fish eggs from the State hatchery, game birds or game animals, or the eggs of game birds from the State game farm, as well as any other products of the said farms, boats and personal property in general, when and as they shall deem proper, the proceeds of such sales to be reported by the Fish and Game Commission as receipts of the board, and to be paid into the State treasury, subject to the use of the Fish and Game Commission as other receipts.

Repealer.

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

Approved March 18, 1913.

CHAPTER 91.

A Supplement to an act entitled "An act providing for an exhibition and celebration in Philadelphia to commemorate the fiftieth anniversary of the Emancipation Proclamation; creating a commission to conduct same, and making an appropriation therefor," approved March twenty-seventh, nineteen hundred and twelve.

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

Time and place for observances.

1. The commission appointed under the provisions of the act to which this is a supplement may arrange for and conduct the exhibition and celebration authorized by said act at such place within the State of New Jersey as it may select, or in the city of Philadelphia, as to it may seem advisable, and may also fix the time of holding the same at any time during the year nineteen hundred and thirteen.

2. This act shall take effect immediately.

Approved March 18, 1913.

CHAPTER 92.

An Act to amend an act entitled "An act to establish a commission to inquire into the condition, welfare, distribution and industrial opportunities of aliens in the State of New Jersey," approved May second, one thousand nine hundred and eleven.

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

1. The Governor is hereby authorized to appoint a commission of immigration, which shall consist of three members, who shall serve without compensation, and which shall make full inquiry, examination and investigation into the conditions, welfare, distribution and industrial opportunities of aliens in the State of New Jersey. For this purpose said commission is hereby authorized to send for persons and papers, administer oaths, and to examine witnesses and papers respecting all matters pertaining to this subject, and to employ all necessary clerical and other assistance. Said commission shall make a final report to the Governor, including such recommendations for legislation as in its judgment may seem proper. That an amount not to exceed five thousand dollars shall be appropriated to pay the expenses of said commission.

Commission on immigration.

Objects.

Witnesses.

Report.

Appropriation.

2. This act shall take effect immediately.

Approved March 18, 1913.

CHAPTERS 93 & 94.

An Act fixing and regulating the compensation of the Chancellor, the Chief Justice and the associate justices of the Supreme Court.

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

Salaries of Chancellor and Justices of Supreme Court

1. From and after the passage of this act the Chancellor and the Chief Justice of the Supreme Court shall be entitled to receive an annual salary at the rate of thirteen thousand dollars, and the associate justices of the Supreme Court shall be entitled to receive an annual salary of twelve thousand dollars, to be paid in equal monthly payments by the Treasurer of this State upon the warrant of the Comptroller of the Treasury.

2. This act shall take effect immediately.

Approved March 19, 1913.

CHAPTER 94.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Section 4 amended.

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

4. (1) Every automobile shall carry, during the period from thirty minutes after sunset to thirty minutes before sunrise, and whenever fog renders it impossible to see a long distance, at least two lighted lamps showing white lights visible at least two hundred and fifty feet in the direction toward which said automobile is proceeding, and shall also exhibit a red light visible from the rear; the rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such a manner as to render the numerals thereon visible for at least fifty feet in the direction from which the motor vehicle is proceeding. Lamps. Rear marker illumined.

(2) Every motor cycle shall carry, during the period from one hour after sunset to one hour before sunrise, and whenever fog renders it impossible to see a long distance, at least one lighted lamp, showing a white light visible at least two hundred feet in the direction toward which the motor cycle is proceeding. Lamps on motor cycles.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 95.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violation,' approved April twelfth, one thousand nine hundred and six," which amendment was approved April sixteenth, one thousand nine hundred and eight.

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

Section 9 amended

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

Commissioners.

9. The Assistant Secretary of State shall be ex officio Commissioner of Motor Vehicles, and shall have personal charge and supervision of the enforcement of the provisions of this act. The Commissioner of Motor Vehicles shall appoint a chief inspector of motor vehicles, who shall be chief clerk of the department, and who shall have practical knowledge of the mechanical arrangement and capabilities of all kinds of motor vehicles, and be capable to pass upon the efficiency of motor vehicles and the competency of motor vehicle drivers.

Chief inspector.

Inspectors.

The Commissioner of Motor Vehicles shall also appoint as many inspectors, not exceeding sixteen, as may be necessary in detecting violations of this act, in obtaining evidence of violations and otherwise assisting in the enforcement of the act. The said inspectors shall be chosen with especial reference

to their fitness for the work, and shall be required to submit themselves to such an examination as the Commissioner of Motor Vehicles shall provide, and shall be equipped, at his discretion, with motor cycles or other means of conveyance. The Commissioner of Motor Vehicles shall organize the inspector force with the chief inspector at its head, and shall adopt such rules and regulations for the regulation of the inspector force as shall appear desirable, and shall exercise the power of suspension and, when necessary, of discharge of inspectors for failure to comply with the rules of the department, or for any other cause. He shall fix the compensation of these inspectors, but in no case shall such compensation exceed three dollars per day. The Commissioner of Motor Vehicles shall also have the power to appoint any number of citizens, not exceeding twenty, who shall be interested in the proper enforcement of this act, and who shall be known as special inspectors, not more than two of whom shall be residents of any one county. They shall serve without pay, and shall have all the power and authority of the paid inspectors as stated in this act. The Commissioner of Motor Vehicles shall also fix the compensation of clerical assistants and others employed under this act. The compensation of the Commissioner of Motor Vehicles shall be fifteen hundred dollars per annum, in addition to any compensation he may receive by reason of any statute fixing the compensation of Assistant Secretary of State, and that of the chief inspector shall be fifteen hundred dollars per annum.

Rules and regulations.

Inspector's pay.

Special inspectors.

Authority.

Salary of Commissioner and chief inspector.

2. Section twenty-one of the act to which this is an amendment be and the same is hereby amended so as to read as follows:

Section 21 amended.

21. The owner of each and every automobile which shall be driven upon the public highways of this State shall display on the front and rear of such vehicle, not less than fifteen inches or more than thirty-six inches from the ground, in a horizontal position and in such a way as not to swing,

Number displayed.

an identification mark to be furnished by the motor vehicle department. Said identification mark shall contain the number of the registration certificate of said vehicle in characters not less than four inches in height with a stroke of not less than one-half an inch, and shall be of such design as shall be prescribed by the Commissioner of Motor Vehicles. On the tag shall be, in smaller characters, the manufacturer's number of the car, certified by the Commissioner of Motor Vehicles. The identification marks of vehicles shall be either of metal or leather, sufficiently enduring to be plainly legible under all atmospheric conditions for at least one year. Motor cycles shall also display such identification marks as the Commissioner of Motor Vehicles shall prescribe. All identification marks shall be kept clear and distinct and free from grease, dust, or other blurring matter, so as to be plainly visible at all times during daylight and night.

Description of marker.

Maker's number on tag.

Markers kept clean.

3. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 96.

An Act to amend an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which supplement was approved April second, one thousand nine hundred and twelve.

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

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

Section 7 Amended.

7. Any motor vehicle belonging to any person who is a non-resident of this State, and who has registered such motor vehicle in and has complied with all of the laws of the State, Territory or Federal District of the United States in which he resides with respect to the registration of motor vehicles and the display of registration numbers, and who shall conspicuously display such registration number as required thereby, may be driven in this State during a period of not to exceed fifteen days in each calendar year, or on two or more occasions not exceeding in the aggregate the period of fifteen days in any such year, without complying with, or being subject to, the provisions of sections fifteen and twenty-one of the act to which this is a supplement, or either of them, or with any of the preceding sections of this supplement; *provided,* that each

Period for non-residents driving without registering.

Proviso.

day or part of a day during which any such motor vehicle is within this State shall be considered as one of said fifteen days; *and provided further,* that the provisions of this section shall be operative as to any such motor vehicle owned by non-resident of this State, only to the extent that under the laws of the State, Territory or Federal District of his residence substantially similar exemptions and privileges are granted to motor vehicles duly registered under the laws of this State; *and provided further,* that the Commissioner of Motor Vehicles shall have power to suspend, for cause, the fifteen-day touring privilege in so far as it may apply to any licensed motor vehicle licensed by any State, Federal District or Territory to which such privilege is granted under the provisions of the act to which this is a supplement. The Commissioner of Motor Vehicles, in suspending such privilege, shall give seven days notice of such action, citing in such notice the number of the motor vehicle in reference to which such privilege is suspended, and shall forward such notice to the department which issued the license against which such privilege is suspended. The Commissioner of Motor Vehicles, when suspending such privilege, shall give public notice of the same, and cause all police departments or other police authorities to be notified of such action. If such motor vehicle against which such privilege has been suspended shall be driven thereafter into the State of New Jersey, during the period in which its license is in force, the driver and owner thereof shall be subject to a fine not exceeding two hundred dollars.

Proviso.

Proviso.

Suspension of privilege.

Notice given of suspension.

Penalty for operating after suspension.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 97.

A Supplement to an act entitled "An act defining motor vehicles, and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act, and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

1. No person or persons shall manufacture, or cause to be manufactured, any identification marker in imitation of the official identification marker issued under the authority vested in the Commissioner of Motor Vehicles; nor shall any person or persons cause to be exposed any manufactured number other than those issued under the authority of the Commissioner of Motor Vehicles; and in the event of one of the official identification markers being lost, the only marker which shall be displayed in place of such lost marker and during the time necessary for a new official identification marker to be made, shall be the tags supplied by the Commissioner of Motor Vehicles to take the place of such lost number. No person or persons shall permit the manufacture of any fictitious identification marker or identification marker in imitation of the official identification marker at their place of residence or business.

Illegal markers.

Lost markers.

Not make illegal markers.

2. Any person or persons guilty of a violation of this act shall be subject to a fine not to exceed five hundred dollars or imprisonment in the county jail for sixty days.

Penalty.

3. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 98.

A Supplement to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Destruction of motor vehicle records.

1. The Commissioner of Motor Vehicles may, in his discretion, destroy applications for registration certificates or drivers' licenses that shall be on file in his office for more than three years.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 99.

An Act to permit any stock life insurance corporation of this State to acquire the capital stock thereof for the benefit of its policyholders and to convert such stock life insurance corporation into a mutual life insurance corporation.

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

Company may acquire shares of stock of said company.

1. It shall be lawful for any stock life insurance corporation incorporated under any general or special law of this State to acquire the whole or any portion of the shares of the capital stock of

the said corporation for the benefit of the policyholders thereof in the manner hereinafter provided.

Petition to change to mutual company.

2. When the board of directors of any such corporation has determined that it would be conducive to the welfare of the corporation and in the interests of the policyholders thereof to change the corporation from a stock life insurance corporation to a mutual life insurance corporation, such corporation may present a petition to the Court of Chancery, duly verified by its president or other head officer, setting forth the action of the board and praying relief. Upon the filing of such petition said court shall have jurisdiction to act thereon and to make such determination, orders and decrees as are herein provided. Such corporation may thereafter apply to the Chancellor to appoint two or more disinterested persons to appraise the value of the capital stock of the corporation. Upon said application being made the Chancellor shall fix a day for the hearing thereof and shall direct such notice to be given to the Commissioner of Banking and Insurance of this State and to the policyholders and stockholders of said corporation as he shall deem proper. Upon proof being made of the giving of such notice and upon hearing all parties in interest who may appear in response thereto, the Chancellor shall have authority to make such appointment.

Application for appraisers.

Chancellor to fix time for hearing

Oath of appraisers.

3. The appraisers so appointed shall take and file with the clerk of the Court of Chancery an oath faithfully and impartially to discharge the duties of their said office. They shall be authorized to compel the attendance of witnesses and the production of books and papers by subpœnas issuing out of the Court of Chancery for that purpose and to administer oaths to witnesses.

Witnesses and records produced.

Examination by appraisers.

4. Said appraisers shall, after giving such notice to all parties in interest as the Chancellor may direct, proceed to examine into the matters so referred to them and shall, within the time fixed by said order, report to the Chancellor their findings

as to the value of such stock, together with the basis upon which such findings are made.

Hearing before chancellor.

5. Upon the filing of said report the Chancellor shall fix a day for hearing any party in interest in connection therewith and shall direct such notice of the hearing to be given as to him shall seem proper. Upon said hearing the Chancellor may confirm, modify or disapprove the findings of said appraisers. If the Chancellor shall confirm or modify the said findings, he shall enter an order reciting such confirmation or modification and fixing the value of the said capital stock and the price per share at which the same may be purchased by the said corporation. In case the Chancellor shall disapprove the findings of said appraisers he shall either refer the matter back to the said appraisers for further investigation, or appoint other appraisers as he shall deem best. In such case the further procedure shall be the same as in the case of the original appointment.

Findings.

Special meeting of stockholders.

6. The clerk of the Court of Chancery shall upon the filing of said order cause to be mailed to the president of the said corporation a certified copy thereof, upon the receipt of which the said president shall call a special meeting of the stockholders of said corporation. Notice of such meeting shall be given in accordance with the provisions of the by-laws relating to special meetings of stockholders, and shall set forth fully the object thereof together with the price of said stock as fixed by the said order.

Majority to determine.

7. At said meeting it shall be lawful for the stockholders of the said corporation by a majority vote of all the outstanding stock of said corporation to authorize the purchase by the corporation of such shares of the capital stock thereof as may be offered for sale at the price fixed by said order, and to fix the terms and conditions of said purchase; *provided*, that such purchase can be made out of the surplus of such corporation and without impairment of the rights of the stockholders who elect

Proviso: purchase made from surplus.

to retain their stock. In case the stockholders vote in favor of the purchase of said stock at the price fixed by the Chancellor, it shall be the duty of the president of the said corporation to forthwith call a meeting of the policyholders to consider the subject of such purchase. Such notice shall be given of said meeting as was directed by the Chancellor to be given to the policyholders upon the application for the appointment of appraisers. At such meeting every policyholder of the corporation who is of the age of twenty-one years or upwards, and whose policy has been in force for at least one year, shall be entitled to cast one vote either in person or by proxy. In case a majority of the policyholders voting at said meeting shall be in favor of purchasing the stock of the corporation upon the terms and conditions fixed by the stockholders, the directors shall report the action of both the stockholders' and policyholders' meetings to the Chancellor, who shall, upon such notice to the parties in interest as he shall direct, confirm the same in case he shall find that the provisions of this act have been in all respects complied with and that such purchase can be made out of the surplus of the corporation and without impairment of the rights of stockholders who elect to retain their stock. From such order of confirmation an appeal may be taken by any stockholder or policyholder to the Court of Errors and Appeals within thirty days after the making of said order. On such appeal the order of the Chancellor fixing the value of such stock may also be reviewed.

Question considered by policy holders.

Who may vote.

Action if policy holders agree.

Appeal may be taken.

8. Upon the confirmation of the said action of the stockholders and policyholders the Chancellor shall appoint a trustee or trustees for the policyholders of such corporation. The trustee or trustees so appointed shall before entering upon the performance of any of the duties of said office qualify by filing with the Clerk of the Court of Chancery a statement duly verified accepting said appointment, and declaring that as trustee or trus-

Trustees for policyholders.

tees for the policyholders of said corporation he or they will hold all stock of said corporation as may thereafter be transferred to him or them upon the trusts herein set forth in order to effectuate the purposes of this act.

Notice to purchase stock.

9. Upon the qualification of said trustee or trustees so appointed the president of said corporation shall give written notice to each stockholder thereof by mailing the same to him at his last known post-office address, that the said corporation will purchase under the terms and conditions fixed by said stockholders' meeting, the capital stock of said corporation or so much thereof as may be offered to it, and will pay therefor the price fixed by said order. Such purchase shall be made only out of the surplus hereinbefore mentioned.

Stock transferred to trustees.

10. All stock so purchased shall be immediately transferred on the books of the said corporation to the policyholders' trustee or trustees, who shall until the entire stock of said corporation shall have been so transferred, hold the legal title thereto upon the following trusts:

Dividends.

(1.) To receive all dividends declared thereon and, within ten days after the receipt thereof, to repay such dividends to said corporation for the benefit of the policyholders thereof, which dividends so repaid shall inure to the benefit of all the policyholders of said corporation and be distributed to them under such conditions, and at such times and in such manner as the board of directors of said corporation may determine.

Other moneys.

(2.) To receive all other sums paid on such shares in any manner or under any contingency, and, within ten days after such receipt, to repay such sum or sums to such corporation or its successor or successors in interest for the benefit of the policyholders as above provided.

Voting stock for directors to represent policyholders.

(3.) To vote such stock at any election of directors of said corporation for such person or persons as members of the board of directors as the policyholders of said corporation shall select at a meet-

ing to be held for that purpose at least thirty days prior to such election.

Voting stock at annual meeting.

(4.) To vote such stock at the annual meeting of the corporation, or at any special or other meeting of the stockholders thereof, for or against any measure proposed for the action of the stockholders, other than the election of directors, according as in their judgment will best promote the interests of the policyholders and the corporation, unless they shall be specifically instructed with respect to such measure at the next preceding meeting of the policyholders, in which event they shall vote the stock in accordance with such instructions.

Policyholders' meetings.

11. Such policyholders' meetings shall be held at the principal office of the corporation in this State at a time to be fixed by the directors of said corporation at least six months in advance of the election. Notice of such policyholders' meetings shall be given in such manner and for such length of time as the Chancellor shall by order direct. At such policyholders' meetings every policyholder who is of the age of twenty-one years or upwards and whose policy has been in force for at least one year, shall be entitled to cast one vote in person or by proxy for as many directors as there are vacancies to be filled, and for or against such other measures as may properly come before the meeting. The persons voted for as directors need not be stockholders in the corporation. The president of the corporation shall preside at said meeting and the secretary of the corporation shall keep the minutes thereof unless the policyholders shall otherwise determine. Voting for directors at such meeting shall be by ballot and tellers shall be elected to receive and count the votes. A certificate setting forth the action of the policyholders at such meeting, sworn to by the presiding officer and the secretary thereof, shall be filed in the office of the Commissioner of Banking and Insurance of this State, and a duplicate thereof shall be filed with the policyholders' trustee or trustees. The latter

Notice of

Who may vote.

Officers of meeting.

Certificate filed.

shall vote for such persons as directors at the next ensuing election of the corporation as have received the highest number of votes at the policyholders' meeting, as shown by such certificate.

Counsel to represent policyholders.

12. The Chancellor shall have power in his discretion to appoint counsel for the policyholders at any stage of said proceedings. The proper and necessary expenses of the proceedings in the Court of Chancery and of the appraisal of said stock and the holding of the several stockholders' and policyholders' meetings, including a reasonable allowance to the appraisers and the policyholders' trustees and the counsel for the policyholders, shall be paid by the corporation upon the approval and order of the Chancellor.

Action taken when all stock acquired.

13. When all the outstanding stock of the said corporation shall have been purchased and transferred to the policyholders' trustee or trustees, as hereinabove provided, the said trustee or trustees shall deliver the same to the said corporation for the purpose of cancellation, and upon such delivery all rights of the stockholders of said corporation to vote at any meeting of said corporation, or to receive any dividends therefrom, or to retain any interest in said corporation, or in the property or assets thereof, shall absolutely cease and determine, and thereafter the said corporation shall be and become a mutual life insurance corporation, and the property and assets thereof shall belong to the policyholders, who shall elect the board of directors and exercise such other rights and privileges as may be conferred upon such corporation by its charter or by the general laws of this State and as may from time to time be conferred upon the policyholders of mutual life insurance corporations by law. Thereafter notice of the annual meeting of the corporation for the election of directors shall be given in the manner prescribed by the Chancellor for policyholders' meetings called under the provisions of section eleven hereof, and elections shall be conducted in the manner in said section

Company becomes a mutual one.

Future meetings.

provided until the policyholders shall at an annual meeting of the corporation provide by appropriate by-laws for the conduct of such meetings and for notice thereof.

Repealer.

14. All acts and parts of acts inconsistent with this act are hereby repealed.

15. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 100.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Secton 31 amended.

1. Section thirty-one of the act to which this is an amendment shall be and is hereby amended so as to read as follows:

Prosecutions in name of state.

31. All proceedings for the violation of the provisions of this act shall be entitled and shall run in the name of the State of New Jersey, with the Commissioner of Motor Vehicles, or a motor vehicle inspector, or a police officer, or a constable; or such other person as shall by complaint institute the proceedings as prosecutor; and any magistrate may, at his discretion, refuse to issue a warrant on the complaint of any person other than the Commissioner of Motor Vehicles, or a motor vehicle inspector, or a police officer, until a sufficient bond to secure costs shall have been executed and delivered to the said magistrate.

Magistrate's discretion.

2. This act shall take effect immediately.
Approved March 24, 1913.

CHAPTER 101.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,'" approved April twelfth, one thousand nine hundred and six, which amendment was approved April twenty-first, one thousand nine hundred and nine.

Section 5 amended.

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

Section 34 amended.

5. (Section thirty-four of the act of which this is an amendment shall be amended to read as follows:)

Fees allowed.

34. The fees provided in the following schedule and no other charges whatsoever, shall be allowed the magistrate and officers in proceedings under this act, and where no fee is provided for any necessary service to be performed, the same shall be performed without any charge therefor:

Justices:

Justices.

Complaint	10 cents
Summons or warrant when necessary to be issued, but not in case of arrest without warrant based on complaint, ...	10 cents
Copies, ...	5 cents each
Subpœna, ...	10 cents

Administering oath to each witness	10 cents
Each adjournment, ...	15 cents
Entry of judgment, ...	20 cents
Recognizance or bond, drawing entry and approval of, ...	25 cents
Execution, ...	25 cents
Making return to certiorari, ...	50 cents
Granting appeal and necessary papers, ...	50 cents
Hearing contested case, ...	50 cents
Hearing non-contested case, ...	25 cents

Constable:

Constables.

Service of summons or warrant (except in cases of arrest on view where no costs for service),	30 cents
Service of subpœna (except where subpœna to party present at time of arrest, where no costs),.....	30 cents
Service of execution, ...	75 cents
For every mile of travel in serving any summons or warrant, after the first mile, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, ...	3 cents

Witnesses.

Witnesses.

For each witness, not exceeding three to each party, ...	25 cents

and which shall be paid by the defendant if the defendant be found guilty of the charge laid against him, but if, on appeal, said judgment be reversed, said costs shall be repaid to said defendant as hereinbefore provided. If the defendant be found not guilty of the charge or charges laid against him, then the costs must be paid by the prosecutor, except that when in such instances the commissioner of motor vehicles or the inspector of motor vehicles or a police officer shall have been the prosecutor.

If defendant not guilty, costs paid by prosecutor.

2. This act shall take effect immediately.

Approved March 24, 1913.

An Act to provide for overflow by the tide, or the filling in, of the lands contained within the bounds of any meadow company, heretofore organized by virtue of the provisions of any special or general act of the Legislature of this State; to provide funds, to defray the expenses thereof and to protect adjoining meadows, or other lands from damage, and to assess a portion of the cost thereof on such adjoining lands.

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

Meadows may either be overflowed or surface raised.

1. It shall and may be lawful for the owners and possessors of the lands contained within the bounds of any meadow company, heretofore organized by virtue of the provisions of any special or general act of the Legislature of this State, to cause the same to be subjected to overflow by the tide for such period as may be agreed upon at the meeting held therefor, as hereinafter provided, or to cause the same to be filled in and the surface thereof raised.

Propositon submitted to owners.

2. The proposition to subject said lands to the overflow of the tide, or to be filled in, may be submitted to the owners of said lands at any annual meeting of such meadow company, or at any special meeting thereof, called by the managers of any such company, or by at least five of the owners of lands within the bounds of such meadow company. If submitted at a special meeting, such meeting shall be called by notice in writing, signed by a majority of the managers, or by the five owners, if called by them, and such notices in either instance shall be posted at five or more public places in the township in which the said lands or the greater part thereof may lie, for a period of at least fifteen days, and a copy thereof shall be published for two weeks, once in each week, in a newspaper published in the county wherein such lands lie, and circulating in the neighborhood.

How meeting called.

At such annual meeting, or at such special meeting so called, the question of overflowing the meadow lands of such meadow company, or of filling in the same, may be submitted; and if more than one-half of all the votes to which the owners of such meadow lands are entitled are cast in favor of overflowing such meadow lands, the managers shall cause the same to be overflowed for such period of time as may, by the vote aforesaid, be decided upon at such meeting; and if more than one-half of all the votes to which the owners of such meadow lands are entitled are, at such meeting, cast in favor of filling in such meadows, the manager shall cause the same to be filled in. Questions submitted. Decision.

3. In case the lands of any meadow company taking advantage of this act shall abut on the lands of any other meadow company, and it shall be necessary to erect a cross bank to protect such adjoining meadow company from the overflow of the tide, or from the overflow of the fill, it shall be lawful for the managers of such meadow company, or a majority of them, so taking advantage of this act, to apply to the Court of Common Pleas of any county in which such meadow lands are located, for the appointment of three judicious and disinterested men well acquainted with banked meadows, as commissioners; said commissioners shall be appointed by said court after the giving of such notice of said application as said court shall prescribe, and when appointed, after giving such notice of the time and place of meeting as said court shall direct, shall view the premises, hear the parties in interest, may adjourn from time to time, and shall lay out the cross bank required to protect such adjoining meadows, and cause the same to be constructed, the cost thereof to be paid by each meadow company, in accordance with the assessments made by said commissioners. In case the adjoining meadow company shall refuse to pay its proportion of said assessment, the company taking advantage of this act shall, in the first instance, pay If lands abut on other meadow company's property. Commissioners to view and fix cost. Action in case of refusal to pay assessment.

the cost thereof, and the amount assessed against the adjoining company by said commissioners shall be returned in the report of said commissioners to the Common Pleas Court, and the collection of the same by the managers of such company taking advantage of this act may be enforced by suit at law in any competent court, or by mandamus or other appropriate process. The commissioners shall receive such compensation as said court may order, to be paid by the petitioners.

Expenses allowed.

4. The expenses incident to the filling in of said meadows shall not exceed ten per centum of the value of the meadow lands within the bounds of any meadow company taking advantage of this act, as valued for assessment for meadow purposes at the time of the passage hereof; and such obligation incurred by the managers within the limit aforesaid shall be assessed on said meadow owners and shall be paid as now provided by law for the other legal expenses of such meadow company.

5. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 103.

An Act to amend an act 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," approved April first, one thousand nine hundred and ten.

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

Section 12 amended.

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

Commitments.

12. The board of commissioners shall notify the several county clerks when the reformatory is ready for the reception and safe custody of prisoners, and thereafter the courts of this State having

criminal jurisdiction may sentence to the reformatory any female above the age of seventeen, convicted of any crime which is punishable by imprisonment in the State Prison or any penitentiary in this State. The keeper of the State Prison, upon request in writing to him by the board of commissioners of the New Jersey State Reformatory for Women and the approval thereof by the Governor, shall transfer to the reformatory any of the female inmates of the State Prison over the age of seventeen, who shall be in confinement therein. The warden of any penitentiary in this State, upon request in writing to him by the said board of commissioners and the approval thereof by the Governor, shall transfer to the reformatory any of the female inmates of such penitentiary above the age of seventeen, who shall be in confinement therein. The superintendent of the State Home for Girls, upon the request to him, in writing, by the board of commissioners, and the approval thereof by the Governor, shall transfer to the reformatory any of the inmates of the said home above the age of seventeen, who shall be in confinement therein. The keeper of the State Prison, wardens of the penitentiaries and the superintendent of the State Home for Girls shall furnish to the superintendent of the reformatory a certified copy of all papers under the authority of which the inmates so transferred were received and detained in the said institutions, respectively. Such certified copies shall be full and sufficient authority for the detention by the superintendent of the reformatory of the prisoner named therein, until discharged as herein provided. For the confinement of prisoners so transferred, the said reformatory shall be taken and considered a State prison, a penitentiary or State home for girls in each case, according as the prisoners has been transferred from one or the other of said institutions. The sheriffs of the several counties shall convey to the said reformatory all prisoners sentenced thereto, within the time and in the man-

Transfer of women from State prison.

Transfers from penitentiary.

Transfer, from girls' home.

Records in cases of transfers.

Duties of sheriffs and clerks.

ner now provided for the transportation of prisoners sentenced to the State Prison, and be allowed therefor the same fees. The county clerks of the several counties shall deliver to the sheriffs certified copies of all bills of costs, including therein only charges for services actually rendered, and commitments for all prisoners sentenced to the said reformatory in the manner and within the time now prescribed in cases of conviction and sentence to the State Prison.

Section 15 amended.

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

Rules for discharge or parole.

15. The commissioners may establish rules and regulations under which prisoners may be discharged or released on parole. When released on parole prisoners shall be in legal custody of the commissioners, subject at any time to be recommitted to the reformatory. Full power to retake and recommit any prisoner so released upon parole is hereby conferred upon the commissioners, and their order, certified by their secretary and signed by their president, with the seal of the reformatory attached thereto, which said commissioners are hereby authorized to adopt, shall be a sufficient warrant for the officer to whom the same may be directed to retake and return to actual custody any prisoner so released on parole. A prisoner who has broken the condition of her parole, as established according to and under said rules and regulations, may be declared by the commissioners to be a delinquent, and after an order by them to that effect, entered in their minutes, may be treated as an escaped prisoner owing service to the State and liable, when arrested, to serve out the unexpired term of her maximum possible imprisonment. The time from the date of her declared delinquency to the date of her arrest shall not be counted as any part of the time served. The sentence to the reformatory of any prisoner while on parole, upon conviction of a fresh crime, shall commence from

Re-committal for violation of parole.

Delinquent prisoners.

Delinquency not counted as time served.

the termination of her liability upon the first or former sentence.

3. Section twenty of the act of which this is an amendment be and the same is hereby amended so as to read as follows: Section 20 amended.

20. If any female committed to such institution, at the time of such commitment is the mother of a nursing child in her care under one year of age, or is pregnant with child, which shall be born after such commitment, such child may accompany its mother to and remain in such institution until it is two years of age, and must then be removed therefrom. The board of commissioners of such institution may cause such child to be placed in any asylum for children in this State, and pay for the care and maintenance of such child therein, at a rate not to exceed two and one-half dollars a week until the mother of such child shall have been released on parole or discharged from such institution; or such board may commit such child to the care and custody of some relative or proper person willing to assume such care. If such female at the time of such commitment shall be the mother of and have under her exclusive care a child more than one year of age, which might otherwise be left without proper care or guardianship, the court commiting such female shall cause such child to be committed to such asylum as may be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care.

As to children.

Cared for in public or private homes.

Care of certain children.

4. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 104.

An Act to amend an act entitled "An act relating to persons or corporations engaged in the business of transmitting money to foreign countries, or of buying or selling foreign money, or of receiving money on deposit to be transmitted to

foreign countries," approved April twenty-fifth, one thousand nine hundred and seven.

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

Section 3 amended.

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

Applicant to give bond.

3. Every applicant shall make, execute and deliver a bond to the Commissioner of Banking and Insurance in such sum not less than twenty thousand dollars, as said commissioner shall prescribe, conditioned for the faithful holding and transmission of any money or equivalent thereof, which shall be delivered to the applicant for transmission to foreign countries. Said bond shall be executed by the applicant as principal, with at least two good and sufficient sureties, who shall be residents of this State and together possessed of property to the value of not less than twice the amount of the bond required over and above all debts and liabilities. The bond shall not be accepted unless approved by the Commissioner of Banking and Insurance, and upon such approval it shall be filed in his office. The bond of a surety company may be received if said surety company shall have complied with the requirements of the laws of this State relating to the giving of bonds by surety companies. Before granting a certificate of authority, or any renewal thereof, or at any time after the granting of such certificate, the Commissioner of Banking and Insurance, or some person authorized by him, shall have authority to make an examination of the affairs and financial condition of such applicant or licensee, and if it shall appear by such examination that the applicant or licensee is not possessed of the minimum amount of net unencumbered assets required by section two of this act, said commissioner may refuse to issue a certificate of authority or may revoke the same if already issued. The certificate of authority issued to any licensee may also be revoked if it shall appear to

Sureties.

Approval.

Examination of applicant.

Revocation of license.

the satisfaction of said commissioner that the moneys deposited with said licensee for transmission to foreign countries are not forwarded within the time limited by the first section of this act. All of the expenses of examinations of applicants or licensees shall be borne by such applicants or licensees, and said commissioner may maintain an action for the recovery of such expenses in any court of competent jurisdiction.

Section 4 amended.

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

Additional bond for each place of business.

4. If the said applicant shall carry on the business mentioned in section one of this act at more than one place within this State, such applicant shall furnish an additional bond in such sum not less than five thousand dollars, as the Commissioner of Banking and Insurance shall prescribe, for each and every additional place of business he or it may conduct. Every such additional bond shall be subject to the same requirements as to condition, execution and sureties as provided in the third section of this act with respect to the bond therein mentioned.

3. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 105.

A Supplement to the act entitled "An act relating to persons or corporations engaged in the business of transmitting money to foreign countries, or of buying or selling foreign money, or of receiving money on deposit to be transmitted to foreign countries," approved April twenty-fifth, nineteen hundred and seven.

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

Examination of persons unauthorized to engage in transmitting money to foreign countries.

1. Whenever the Commissioner of Banking and Insurance shall have reason to believe that any person or corporation not authorized to transact business under the act to which this is a supplement, except such persons and corporations as are expressly exempted in the first section of said first-mentioned act, is engaged in the business of transmitting money to foreign countries or receiving money on deposit to be transmitted to foreign countries, said commissioner shall have authority, either personally or by his deputy, or by such other person as he may appoint for the purpose, to examine such unauthorized person or corporation, and said commissioner, his deputy or other person appointed as aforesaid, shall have power to administer an oath or affirmation to any person whose testimony may be required on any such examination, and to compel the attendance of any such person for the purpose of such examination, by summons, subpœna or attachment, in the manner now authorized in respect to the attendance of persons as witnesses in the courts of record of this State; and all books and papers which it may be deemed necessary to examine by the said commissioner his deputy or other person appointed as aforesaid, shall be produced, and their production may be compelled in like manner. If it shall appear by such examination that such unauthorized person or corporation is conducting such business, said commissioner shall communicate the facts to the prosecutor of the pleas of the county in which such unauthorized person or corporation is carrying on such business, who shall institute proceedings for the enforcement of the penalty provided for in the sixth section of the act to which this is a supplement.

If charges verified, prosecutor of pleas informed.

Manner of keeping books.

2. The books and accounts of every such person or corporation now or hereafter authorized to transact business under the act to which this is a

supplement shall be kept in such manner as the Commissioner of Banking and Insurance shall prescribe.

3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 24, 1913.

CHAPTER 106.

An Act to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

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

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

1. Ten or more persons may become a corporation for the purpose of making any of the following kinds of insurance, to wit: Association for purposes of insurance.

I. Against loss or damage to property by fire, lightning or tempest on land; Fire.

II. Upon vessels, freights, goods, moneys, effects, bottomry and respondentia interests, and every insurance appertaining to or connected with marine and inland risks of transportation and navigation, including insurance against loss or damage to automobiles or other vehicles, whether stationary or being operated under their own power, by all or any of the hazards of fire, lightning, tempest, explosion, transportation by land or water, collision, burglary and theft, and against legal liability for damage to property of others resulting from their maintenance and operation; Marine.

III. Upon the lives or health of persons, and every insurance appertaining thereto, and to grant, purchase or dispose of annuities; Life

Accident. IV. Against bodily injury or death by accident, and upon the health of persons, or against loss or damage to automobiles or motor vehicles of any description, or to wagons or vehicles propelled by a horse, horses or teams of any description, resulting from collision with moving or stationary objects, or against loss by legal liability for damage to persons or property resulting from collision of automobiles or motor vehicles of any description, or of wagons or vehicles propelled by a horse, horses or teams of any description with moving or stationary objects;

Indemnity. V. Against loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured is liable;

Explosion. VI. Against damage to property of the insured or loss of life or damage to the person or property of others for which the insured is liable, caused by the explosion of steam boilers, pipes, engines, motors and machinery connected therewith or operated thereby;

Defalcation. VII. Against loss from the defaults of persons in positions of trust, public or private, or against loss or damage on account of neglect or breaches of duty or obligations guaranteed by the insurer;

Titles. VIII. Against loss or damage on account of encumbrances upon or defects in title to real property and against loss by reason of the non-payment of principal and interest on bonds and mortgages. A company organized under this act to transact the business authorized by this subdivision shall have the right, in addition to the other powers of investment given by this act, with its capital and surplus, to take, buy, sell and deal in first mortgages on real estate and to issue bonds, debentures and certificates against such mortgages; and may use in its name the words "Guaranty Company" instead of the words "Insurance Company" as hereinafter required generally for corporations formed under this act.

Credits. IX. Against loss from bad debts, commonly

known as credit insurance;

X. Against loss by burglary or theft; Burglary.

XI. Against the breakage of glass; Glass.

XII. Against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers, pumps or other apparatus erected for extinguishing fires, and of water pipes, and against accidental injury to said sprinklers and other apparatus; Sprinklers.

XIII. Against loss or damage to property by any other casualty which may lawfully be the subject of insurance. Casualty.

Companies may be formed upon the stock plan to transact any kind of insurance authorized by this section, or upon the mutual plan to transact the kinds of insurance described in subdivisions first, third, fourth, fifth and eleventh hereof. Insurance companies either stock or mutual.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 107.

An Act to amend an act entitled "An act to authorize the State Water-Supply Commission to have supervision over the erection and maintenance of dams on certain rivers and streams or reservoirs within this State or between this and any other State," approved March twenty-eighth, nineteen hundred and twelve.

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

1. Section one of the act to which this is an amendment is hereby amended so as to read as follows: Section 1 amended.

1. No municipal corporation, corporation or person shall, without the consent of the State Water-Supply Commission, build any reservoir or construct any dam on any river or stream in this State or between this and any other State, which will Consent to dams, etc.

raise the waters of such river or stream more than five feet above their usual mean low water-height, nor repair, alter or improve dams now existing, which so raise the water, without such consent, but this act shall not affect or relate to dams where the drainage area above the same shall be less than one square mile in extent; *provided,* that in case the water surface created by any such dam or reservoir is less than one hundred acres in extent, the necessity for obtaining the approval of the commission for the construction or repair of any such dam which would raise the water less than eight feet above the surface of the ground, shall not be necessary unless complaint be made in writing to the commission raising a question as to the security and safety of the proposed or existing structure.

Proviso.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 108.

An Act respecting proceedings in certain criminal cases of cities of the second class of this State having a population of over fifty thousand.

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

Justice of peace to take complaints and issue warrants.

1. Hereafter it shall be the duty of justices of the peace, duly elected and commissioned in and for the several cities of the second class of this State, to take complaints as now provided by law against any person or persons offending against the laws of this State, or any of them, in the manner now provided by law, and to issue warrants thereon, returnable before such justice issuing the same

Offender admitted to bail to appear before police court.

2. When any such person or persons charged as aforesaid with any criminal offense shall be apprehended and brought before the justice issuing

said warrant, it shall be the duty of such justice, provided the offense for which such offender shall be so apprehended as aforesaid shall be bailable in law, to admit such offender or offenders to bail for his, her or their appearance at the earliest possible day before the nearest recorder, police justice or other official presiding over any recorder's court, police court or other municipal court having jurisdiction over criminal offenses and power of committal, holding court in such city.

Record transmitted.

3. It shall be the duty of such justice of the peace forthwith to forward, properly enclosed and sealed in an envelope, and addressed to the nearest recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal holding court in such city, the complaint and recognizance taken, together with a list or memorandum of the names and addresses of all witnesses for and in behalf of the State in such case, and all papers connected therewith.

If not bailed, offender committed to jail.

4. In case the offense for which such offender shall be apprehended shall not be bailable in law by a justice of the peace, or such offender shall not give bail as aforesaid for his appearance before said recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses, and power of committal, then it shall be the duty of the said justice of the peace to commit said offender or offenders to the common jail of such county in which said city is situate, and to send forthwith, and in the manner aforesaid, the complaint or complaints and all papers connected therewith, to the nearest recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal of such city.

Police justice may bring offender before court.

5. It shall be lawful for any recorder, police justice or other official presiding over any recorder's

court, police court or municipal court having jurisdiction over criminal offenses and power of committal of any city of the second class, upon the receipt of the complaint as provided in the section last aforesaid, to bring such offender or offenders at any time before such recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal for examination or to admit such offender or offenders to bail in all cases now bailable before such justice, recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal for his or their appearance before such recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal.

Trial.

6. It shall be the duty of the recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal of cities of the second class to try and determine in the manner now provided by law all cases so brought before said recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal of assault, simple assault and battery, malicious mischief, larceny or embezzlement where the price or value of the article, property or thing taken is under twenty dollars; obtaining money or property under false pretenses, where the amount or value of the article, property or thing alleged to have been obtained is under twenty dollars; receiving stolen property where the value of the article, property or thing alleged to have been received is under twenty dollars, and also other criminal offenses, the penalty for which does not exceed a fine of one hundred dollars, or imprisonment for a term

Jurisdiction of court.

not exceeding six months, where any of the specified crimes are committed within the corporate limits of the municipality in which such recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal is established, provided the person or persons charged with any such offense shall in writing waive indictment and trial by jury and in all other cases of offenses not triable before such recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal, it shall be the duty of such recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal to conduct the examination of such offender or offenders in the same manner as if the warrant had been issued originally by such recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal, and bind by recognizance with sufficient surety such offender or offenders to appear at the next session of the court of oyer and terminer and general jail delivery for the county in which such offense was committed or in such other court where the said offense is cognizable; such proceedings as to detail shall be conducted in the same manner as is now provided by law.

Examination of offenders.

Bound to appear before court.

7. If any justice of the peace shall refuse or neglect to carry out in any respect the requirements of this act, or shall offend in anything against the true intent and meaning of this act, he shall be deemed guilty of a misdemeanor and punishable therefor.

Penalty.

8. For duties performed by the justices of the peace under the provisions of this act like fees shall be paid as are now provided by law for sim-

Fees.

ilar services where the complaint and other papers are by them forwarded to the prosecutor of the pleas; *provided, however,* that on all complaints taken before justices of the peace and by them forwarded to the recorder, police justice or other official presiding over any recorder's court police court or municipal court having jurisdiction over criminal offenses and power of committal of offenses triable before said recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction over criminal offenses and power of committal, no fees shall be allowed to the said justices of the peace unless the person or persons against whom such complaint is made shall be convicted thereon.

Proviso.

Salary of recorders and police justices.

9. The recorder, police justice or other official presiding over any recorder's court, police court or municipal court having jurisdiction of criminal offenses, as mentioned in this act, shall receive the following compensation: in cities having a population of more than one hundred thousand, three thousand five hundred dollars, and in all other cities within the purview of this act, three thousand dollars.

In effect.

10. This act shall take effect June first, one thousand nine hundred and thirteen.

Approved March 24, 1913.

CHAPTER 109.

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.

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

Section 107 amended.

1. Section one hundred and seven of the act to which this is an amendment is hereby amended to read as follows:

When tenants may be removed.

107. Any tenant or lessee at will or at sufferance, or for part of a year, or for one or more years, of any houses, lands, or tenements, and the assignees, under-tenants or legal representatives of such tenant or lessees, may be removed from such premises by any district court of any city or judicial districts within the limits of the county within which such premises are situated in the manner hereinafter prescribed, in the following cases:

Possession after expiration of term.

I. Where any such person shall hold over and continue in possession of the demised premises, or any part thereof, after the expiration of his, or her term, and after demand made and notice in writing given for delivering the possession thereof by the landlord, or his agent for that purpose, which notice shall be served either personally upon the tenant, or such person in possession, by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode with some member of his family above the age of fourteen years.

Default in payment of rent.

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

Disorderly conduct.

III. Where such person shall be so disorderly as to destroy the peace and quiet of the other tenants living in said house, or the neighborhood, or shall wilfully destroy, damage or injure the premises, or shall constantly violate the landlord's rules and regulations governing said premises, provided the said tenant has accepted in writing said rules or such rules are made a part of the lease; and shall hold over and continue in possession of the demised premises, or any part thereof, after the landlord, or his agent for that purpose, has caused a written notice of the termination of said tenancy to be served upon said tenant, and a demand that said tenant remove from said premises so occupied by him, within three days from the service of said notice, which said notice shall specify the cause of the termination of the tenancy, and shall be served either personally upon the tenant, or such person

Continuance in possession after notice to vacate.

in possession, by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode with some member of his family above the age of fourteen years.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 110.

An Act to validate, legalize and confirm all the proceedings heretofore held or taken in any township pursuant to or under color of an act entitled "An act authorizing any town, township, borough or village to contribute to the support and maintenance of any hospital of this State," approved February twenty-ninth, one thousand nine hundred and four.

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

Validating electon to raise money for hospital.

1. Whenever heretofore under the authority of an act entitled "An act authorizing any town, township, borough or village to contribute to the support and maintenance of any hospital of this State," approved February twenty-ninth, one thousand nine hundred and four, a resolution has been adopted by any township committee proposing the raising by taxation of a certain sum of money for the maintenance of any hospital of this State, and in pursuance of such resolution the said proposition was printed upon the primary ballots to be voted for or against at the next ensuing primary election, at which primary election a majority of the legal votes cast were in favor of said proposition and whereupon the said proposition was printed upon the regular ballots to be voted for or against at the next ensuing annual township election, at which election a majority of the legal votes cast were in favor of the said proposition, and where in pursuance of said resolution the said sum

of money was included in the tax assessment for said township and collected with other township taxes, notwithstanding said resolution did not contain the proper name of said hospital or notwithstanding any other defects, omission or irregularity in said resolution, or not withstanding any defects in the wording of the said proposition as printed upon said ballots or of any other defects, omissions or irregularities in said proposition, or notwithstanding any defects or irregularities in the assessment or collection of the said sum of money in the said township, or in the manner of submitting such proposition to the legal voters of such township, or in the canvass of the result thereof, the said resolution, election, assessment and collection of taxes, are hereby validated, legalized and confirmed; *provided, however,* that at the time of the said election the said hospital was duly incorporated under the laws of this State and is now located in this State. Proviso.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 111.

An Act to fix the minimum of salary of the prosecutors of the pleas in the counties of the third class in this State.

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

1. In all counties of the third class in this State in which the prosecutors of the pleas now receive an annual salary, each of the prosecutors of the pleas of such counties shall receive an annual salary of at least two thousand dollars, to be paid to him in equal monthly payments by the county collector of such county. Salary.

To whom applicable.

2. This act shall only apply to those prosecutors of the pleas whose term of office shall hereafter commence, or to those now in office whose terms do not expire during the present year, who may file their assent in writing under their hands to the provisions of this act in the office of the clerk of the county of which he is prosecutor; *provided, however,* that nothing in this act contained shall in any way be considered or held as reducing the salary of any of the prosecutors of the pleas in any of the counties of the third class of this State.

Proviso.

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall be a public act and take effect immediately.

Approved March 24, 1913.

CHAPTER 112.

A Supplement to an act entitled "An act to further amend an act entitled 'An act relating to the Court of Common Pleas (Revision of 1900)' " approved March twenty-third, one thousand nine hundred, which act was amended by an act approved March thirty-first, one thousand nine hundred and two, and further amended by an act approved June twenty-second, one thousand nine hundred and six, and further amended by an act approved June eleventh, one thousand nine hundred and seven, and further amended by an act approved March twenty-fifth, one thousand nine hundred and eight.

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

Salary of common pleas judges.

1. Whenever the population of any county in this State, as ascertained by any State or Federal census, is more than thirty thousand and less than fifty thousand inhabitants, the annual salary of the

judges of the Court of Common Pleas of said county shall be three thousand dollars, and such salary shall be payable in monthly installments by the county collector of such county, and shall be in lieu of all fees, allowances and compensation whatsoever, for the services of said judges required to be performed by them, in virtue of their office; which fees shall be paid into the county treasury. Such annual salary shall be determined and paid without regard to the date of the appointment of any such judge, whether he may now be in office or whether his term shall hereafter commence; *provided,* he shall consent thereto and to this act in writing under his hand and shall file such consent in the office of the county clerk of the county for which he is appointed; *and further provided,* that this act shall only apply to such judges as may so file their consents, and that the salary by this act provided shall consent to run on the day the consent is filed.

Proviso.

Proviso.

2. This act shall not be interpreted or construed as repealing or affecting the provisions of chapter one hundred and forty-nine of the laws of one thousand nine hundred, or of chapter two hundred and forty-two of the laws of one thousand nine hundred and three, or of chapter one hundred and eight of the laws of one thousand nine hundred and four, or of chapter one hundred and forty-one of the laws of one thousand nine hundred and five, or of chapter two hundred of the laws of one thousand nine hundred and eight.

Act how construed.

3. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 113.

An Act providing for the payment of the costs and expenses incurred in the repairing and repaving paved streets in any city.

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

Bond issue for repairing street.

1. Where any board of commissioners, common council, or other governing body having charge and control of repairing the public streets in any city in this State shall have, within one year prior to the passage of this act, entered into an agreement to repair or repave any paved streets within such city, under contract, awarded to the lowest bidder for the particular pavement determined upon by said governing body, and the work has been done and performed, or commenced, or partly done and performed under such contract, and there shall be no fund in such city available for the payment of the costs and expenses thereof, then it shall be lawful for the said board of commissioners, common council, or other governing body to issue and dispose of the bonds of such city on its faith and credit in an amount sufficient to pay the costs and expenses of such improvement; *provided, however,* that no such city shall issue bonds under the provisions of this act beyond the sum of one hundred and twenty-five thousand dollars.

Proviso.

Details of issue.

2. Such bonds shall be sealed with the corporate seal of the city and executed in such manner and be in such form as the board of commissioners, common council or other governing body may by resolution provide; said bonds shall run for a period not exceeding thirty years from the date of their issue, bearing interest not exceeding five per centum per annum, payable semi-annually, and be in such denominations and form as said governing body shall provide, and shall be sold at public sale at not less than par and accrued interest; such bonds shall contain a recital that they are issued pursuant to this act and such resolution, which recital shall be conclusive evidence of their validity and the regularity of their issue.

Time.

Rate.

Sinking fund.

3. The board of commissioners, common council, or other governing body of any city issuing bonds under the authority of this act shall provide for a

sinking fund sufficient to retire said bonds at maturity, into which shall be paid annually an amount not less than two per centum of the principal of such bonds, to be raised by a special tax to be assessed, levied and collected with the other taxes of such city; and there shall be likewise raised by tax each year until the payment in full of such bonds an amount equal to the interest payable on such bonds in such year.

Use of proceeds.

4. The proceeds of such bonds, including any premium thereon, shall be used in the payment of the costs and expenses incurred by such city in the repaving or repairing of any paved street or streets therein as aforesaid by contract awarded to the lowest bidder for the particular pavement determined upon, where the work has been done and performed, or commenced, or partly done and performed under such contract; *provided, however,* that nothing herein contained shall be construed as authorizing any city to carry out any contract heretofore awarded for repaving, but under which no work has been performed on the street or streets.

Proviso.

Powers deemed additional.

5. The powers conferred by this act shall be deemed to be in addition to and independent of any and all powers and authority conferred by any other law or laws and not subject to any limitation contained in such other law or laws.

6. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 114.

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.

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

Field days allowed.

1. Nothing in the act to which this is a supplement or in the acts amendatory thereof or supplementary thereto shall prohibit or be construed to prohibit any regularly organized or incorporated association from holding what is commonly known as field trials or field days in this State for the handling and working of dogs upon liberated game birds; *provided, however,* said association shall first obtain a license from the Board of Fish and Game Commissioners of this State to hold such field trial or field day.

Proviso.

2. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 115.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Section 32 amended.

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

Who have power of arrest.

32. (1) Any constable or police officer, or motor vehicle inspector, or the commissioner of motor vehicles is hereby authorized to arrest, without warrant, any person violating, in the presence of

such constable, or police officer, or motor vehicle inspector, or the commissioner of motor vehicles any of the provisions of this act, and to bring the defendant before any magistrate of the county where such offense is committed. The person so offending shall be detained in the office of the magistrate until the officer making such arrest shall make oath or affirmation, which he shall do forthwith, declaring that the person under arrest has violated one or more of the provisions of this act, and specifying the provision or provisions violated, whereupon said magistrate shall issue a warrant, returnable forthwith, and the said magistrate shall proceed summarily to hear or postpone the case as provided in sections twenty-six and twenty-seven of this act. And any such constable or police officer, or motor vehicle inspector, or the commissioner of motor vehicles, upon satisfying himself that such offender is a resident of this State, may, instead of arresting such offender as hereinabove provided, serve upon him a summons in the name of any police court, recorder's court or other court of competent jurisdiction in the county, city, town, township, village, borough or other municipality wherein such officer shall be authorized to discharge his duties, directing such offender to appear and answer such charge or charges as may then and there be preferred against him; and for this purpose the county, city, town, township, village and borough clerks respectively shall provide the said officer or officers with a form of summons which, when filled out, executed and issued by the said officer or officers, in such cases as herein provided, shall be good and effectual according to the purpose and intent thereof.

Detention of person arrested.

Procedure if a resident of State.

(2) Any person arrested for a violation of any of the provisions of this act shall, upon demand of the magistrate hearing the complaint against said person, produce his license for inspection, and if said person shall fail to produce his license or to give a satisfactory excuse for its non-production,

Producton of license.

he shall, in addition to any other penalties imposed by said magistrate, be subject to a fine of not more than twenty-five dollars.

Approved March 24, 1913.

CHAPTER 116.

An Act to amend an act entitled "A supplement to an act entitled 'An act for the punishment of crimes (Revision 1898),' " approved June fourteenth, one thousand eight hundred and ninety-eight; which supplement was approved March twenty-fifth, one thousand nine hundred and twelve.

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

Illegally taking ice.

1. Any person or persons, corporation or corporations that shall steal, take or carry away, or cause to be stolen, taken or carried away, any ice formed upon, or being upon, the surface of any lake, pond, mill-pond, stream or body of water owned by private owner or owners, shall be guilty of a misdemeanor; *provided, however,* that when the title to any such pond is disputed by an abutting property holder that said ownership shall be established by the judgment of a court having jurisdiction over such matters before this act shall become effective against said abutting property owner.

Proviso.

Approved March 24, 1913.

CHAPTER 117.

An Act to authorize townships and boroughs or other municipalities lying within the boundaries of adjacent counties to acquire lands, ponds, lakes, streams, rights of flowage and other rights for public park purposes, to provide for the maintenance thereof and to provide for the appointment of park commissioners.

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

Creation of parks along lakes, etc.

1. It shall and may be lawful for two or more townships and boroughs or other municipalities lying within the boundaries of adjacent counties, to acquire by lease, gift, purchase, condemnation or otherwise lands, lakes, ponds, streams, rights of flowage and other rights and to erect, construct and maintain dams or other means of impounding water, which lands, lakes, ponds, streams, rights of flowage and other rights shall be maintained by said townships and boroughs or other municipalities as public parks and places of public resort for health and recreation.

Ordinance to be adopted.

2. In order to acquire lands, lakes, ponds, streams, rights of flowage and other rights for use for public park purposes, the governing bodies of the several townships and boroughs or other municipalities may, by a majority vote, pass an ordinance adopting the provisions of this act.

Commissioners chosen.

3. The governing bodies of the several municipalities may, by resolution, appoint one person for each one thousand of population and fraction thereof over five hundred as ascertained by the last preceding census, and the persons thus appointed shall be known and designated as the (name to be chosen by the commissioners) Inter-Municipal Park Commission; *provided, however,* that each township

Proviso.

New Jersey State Library

Term.

Oath.

Organization.

Powers.

Assistants.

May borrow money.

Vacancies.

Condemnation proceedings may be had.

and borough or other municipality shall have at least one representative on said commission. They shall hold office for a period of five years from the date of their appointment and until their successors are appointed and qualified. Within thirty days after their appointment, said commissioners shall take and subscribe an oath or affirmation to faithfully perform the duties devolving upon them according to the best of their skill and understanding and they shall select one of their number to act as president, one to act as clerk or secretary and one to act as treasurer Said commissioners, when organized, shall be and become a body politic and corporate in law and shall possess and be deemed to have power to sue and be sued, complain and defend in any court of law or equity and to make and use a common seal and shall have all such other corporate power as may be necessary to carry into effect the provisions of this act. Said commission shall have control of the park or parks acquired by said townships and boroughs or other municipalities and may make, alter and amend rules regulating the use thereof. Said commission shall serve without compensation. In addition to the officers hereinabove specified, said commission may appoint such other agents and employees as may be deemed necessary to fully carry into effect the provisions of this act. It shall have power, from time to time, as necessity may require, to borrow, on temporary loans, such sum or sums of money as may be necessary, but such loans shall not run for a longer period than one year from their date. In case of the death, resignation or disability of any member of said commission, the township and borough or other municipality from which said member was appointed shall fill the vacancy, but for the unexpired term only.

4. If it shall become necessary to take condemnation proceedings in order to acquire any lands, lakes, ponds, streams, flowage and other rights, the mode and method of procedure shall be that pro-

vided in 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 several supplements thereto and acts amendatory thereof, and all such proceedings shall run in the name of said Inter-Municipal Park Commission.

How costs borne.

5. The cost of acquiring any lands, lakes, ponds, streams, flowage and other rights, as well as the cost of the maintenance thereof as a public park, shall be borne ratably, by the townships and boroughs or other municipalities adopting the provisions of this act, according to the then last preceding tax levy in each of the said municipalities. And said Inter-Municipal Park Commission shall annually, on or before the first day of August in each year, certify to the various townships and boroughs or other municipalities the sum or sums of money which they are severally required to raise for the current year as their pro rata share of the cost of acquiring or maintaining such public park, and the various assessors shall include said amount in their tax levy for that year. The amount due from each municipality shall be paid over to the treasurer of said commission on or before the first day of January following said levy and assessment and the same shall be applied by said commissioners to the payment of any such debt or debts as the said commission may have incurred under the provisions of this act.

Annual report.

Money turned over to commission.

Authority here conferred deemed additional.

6. This act shall not repeal any other legislation or affect any proceedings thereunder for the purchase or condemnation of lands for park purposes or for the improvement thereof or for the raising of funds therefor; but this act shall be deemed to be additional legislation for such purposes and to be independent of any and all powers and authority conferred by any other law or laws and not subject to any limitation contained in any other law or laws.

7. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 118.

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

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

State may acquire city normal school.

1. Whenever the board of education in any school district located in one of the counties of the first class shall offer to the State Board of Education the use of a building suitable for a normal school for the purpose of training and educating persons in the science of education and art of teaching, the said State Board of Education, if in its judgment the same is needed, shall establish and maintain the same for the purposes aforesaid; the name and title of said school shall be "The New Jersey State Normal school at (here insert the name of the place where said school shall be located)"; tuition in said school shall be free.

Care and control.

2. The State Board of Education shall have control and care of said school in the same manner and to the same extent as said board has control and care of "The New Jersey State Normal Schools."

3. This act shall take effect immediately.

Approved March 24, 1913.

CHAPTER 119.

An Act to amend an act entitled "An act to provide for the drainage of flowed lands in the township of Hanover, county of Morris, lying and situate between the Whippany river, the Troy

brook, the road leading from the Methodist church in Whippany in a northeasterly and northerly direction to Troy brook, beyond Troy Hills, and the road leading from the last-mentioned road to the Hanover Neck road, passing the properties of H. C. Bleeker, David Perrine and Samuel Hopping," approved April seventh, one thousand nine hundred and ten.

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

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

1. It shall be lawful for the owners of flowed lands, in the township of Hanover, county of Morris, lying and situate between the Whippany river, the Troy brook, the road leading from the Methodist church in Whippany, in a northeasterly and northerly direction to Troy brook, beyond Troy Hills and the road leading from the last mentioned road to the Hanover Neck road, passing the properties of H. C. Bleeker, David Perrine and Samuel Hopping, to meet together annually on the first Monday of April at two o'clock in the afternoon, and that their first meeting shall be held at the house of John J. Mitchell, in the township of Hanover, where the said meetings shall continue to be held unless it shall be determined otherwise, and choose by ballot by plurality vote, a moderator, clerk and three managers, all of whom shall continue in office for one year, or until others are chosen and qualified, and every owner of flowed land within said district shall be entitled at such elections to cast one vote for every acre of flowed land so owned. Annual meeting. Officers. Voting powers.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 120.

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.

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

Unlawful to take certain game.

1. It shall be unlawful to capture, kill, injure or destroy, or have in possession, any quail, rabbit, squirrel, English or ring-neck pheasant, ruffed grouse, prairie chicken, wild turkey, or Hungarian partridge in any of the counties of this State, excepting only between the tenth day of November and the fifteenth day of December, both dates inclusive, under a penalty of twenty dollars for each quail, rabbit, squirrel, English or ring-neck pheasant, ruffed grouse, prairie chicken, wild turkey or Hungarian partridge so captured, killed, injured, destroyed or have in possession, or to capture, kill, injure, destroy or have in possession any woodcock, except from the tenth day of October to the fifteenth day of December in each year, both dates inclusive, under a penalty of twenty dollars for each woodcock captured, killed, injured, destroyed or had in possession.

Open season. Penalty.

Woodcock. Open season. Penalty.

Penalty for taking game unlawfully.

2. Any person who shall, during the period between October tenth and November ninth, both dates inclusive, in any year, unlawfully take or kill, or have in possession, any birds, animals or fowl (except woodcock), the killing of which is prohibited, shall be liable to a penalty of one hundred dollars for each bird, animal or fowl unlawfully taken, killed, or had in possession. One-half of

said penalty to be paid to any person other than a salaried warden furnishing proof of the unlawful taking, killing, or having in possession, of any of the birds, animals or fowl (except woodcock) sufficient to secure a conviction. Said amount to be paid by the magistrate before whom the same was recovered and the balance forwarded to the Board of Fish and Game Commissioners.

Enforcement of act.

3. This act shall be enforced by the persons authorized and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto.

Repealer.

4. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 121.

An Act to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies, and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

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

Section 8 amended.

1. Section eight of the act to which this is an amendment is hereby amended to read as follows:

8. Deposit of securities.

Deposit with commissioner of insurance.

No company organized under this act, other than a mutual fire insurance company, or a mutual company organized to make insurance against loss or

damage resulting from accident to or injuries suffered by any person for which loss or damage the insured is liable, shall be authorized to transact any business of insurance until it shall have deposited with the Commissioner of Banking and Insurance of this State the sum of fifty thousand dollars in stocks, bonds, or bonds and mortgages; such stocks or bonds shall be the public stock or bonds of this State, or of the United States, or the States of New York, Ohio, Massachusetts or Pennsylvania, or of any of the counties, cities, boroughs, towns or townships of this State the market value of which shall not be less than par; such mortgages shall be on unencumbered improved real estate within this State worth double the amount so invested, and the said commisisoner may, from time to time, after such company shall have commenced business, require it to make further deposits of stocks, bonds or bonds and mortgages as aforesaid, up to the sum of one hundred thousand dollars; to every mortgage deposited with said commissioner, the president of the company depositing the same shall annex his affidavit that said mortgage was made and taken in good faith for money loaned by the company to the amount therein named, and that no part thereof has since been paid or returned, and that he has reason to believe, and does believe, that the premises thereby mortgaged are worth at least double the amount of the mortgage thereon.

Character of securities.

Mortgages.

Repealer.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 122.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, the title to which act was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve.

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

Power to regulate use of public assembly buildings.

1. In order to lessen the dangers caused by fire, explosion and panic, the board of commissioners shall have power to regulate the use of dance halls, schools, churches, theatres, opera houses, and all buildings used for public entertainment or amusement; to compel the owners, lessees, or person operating or controlling the same to provide adequate and sufficient exits and fire-escapes therefrom, and to prevent the obstruction thereof; to properly guard all lights and electric wires therein; to regulate the construction, installation and use of moving picture machines, scenery and other apparatus and appliances used in such buildings.

Penalties

2. Said board shall have power to prescribe penalties for the violation of any ordinance or regulation which they are empowered to make by the act to which this act is a supplement, or by any amendment thereof or supplement thereto.

3. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 123.

An Act creating a fund for the restoration or repairing of property owned by the State of New Jersey destroyed or damaged by fire or earthquake.

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

Restoration fund.

1. There shall be appropriated in each and every year the sum of fifty thousand dollars as a fund, the interest of which, as hereinafter provided, shall be used for the restoration and repair of structures, buildings and equipments upon lands owned by the State of New Jersey which may be destroyed or damaged by fire or earthquake. In the event that by future appropriations the sums appropriated shall amount to one million dollars, no further appropriation shall be made by the Legislature of this State for the purpose of the fund hereby created.

Control of fund.

The fund created by this act shall be in the control of the State House Commisison of the State of New Jersey, and the same shall be invested in such securities as the Trustees for the Support of Public Schools are now, or hereafter may be, authorized to invest the moneys of said fund.

Use of fund.

Should any property mentioned in this act be destroyed or damaged by fire or earthquake, and the interest of said fund be insufficient to restore or repair the property so destroyed or damaged, the said State House Commission may withdraw from the principal of said fund, in addition to the interest which may have been earned by said fund, a sum sufficient to defray the cost of the restoration or repair of the property so as aforesaid destroyed or damaged.

Cancellaton of insurance.

2. As soon as the fund created under the provisions of this act shall amount to the sum of one hundred thousand dollars, any or all insurance

upon any property owned by the State of New Jersey shall be cancelled, if, in the judgment of said State House Commission, it shall be deemed advisable so to do, and if by reason of the cancellation of any such policies any moneys shall inure to the State, said moneys shall be added and form a part of the principal sum created by this act.

Invest in school bonds.

3. Nothing in any other act of the Legislature of this State contained shall be construed to prevent any school district of this State from selling to the State House Commission any school bonds to constitute a portion of the fund aforesaid, without first advertising the same for sale at public auction, public sale or public vendue.

4. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 124.

An Act to amend "A supplement to an act entitled 'An act concerning the militia of the State,'" approved May sixteenth, one thousand nine hundred and six, approved March second, one thousand nine hundred and nine.

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

Section 4 amended.

1. Amend section four of said act so as to read as follows:

Withdrawn from command and pensioned.

4. All officers retired from active service shall be withdrawn from command, and all officers who have been or shall hereafter be retired by said act approved March second, one thousand nine hundred and nine, and who were honorably discharged Union soldiers, sailors or marines who served in the war of the rebellion, receiving from the State pay for continuous military service in the State National Guard until the date of their retirement

under the said act approved March second, one thousand nine hundred and nine, shall be entitled, for and during their natural life, to receive by way of pension one-half the compensation then being received by them for such service until the date of their retirement, the same to be paid in the same way and same installments in which such compensation has heretofore been payable; *provided,* that in case of retirement with pension from office or position under any other State law, the person retiring shall waive either his pension under such a law or his pension under this act.

Proviso.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 125.

An Act concerning homing pigeon or pigeons, commonly known as "carrier" pigeon or pigeons.

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

Protection of carrier pigeons.

1. From and after the passage of this act it shall be unlawful for any person or persons to entrap, shoot, kill, steal, wound or in any way detain a registered banded Antwerp or homing pigeon or pigeons, commonly known as "carrier" pigeons, when on the wing or at rest, or while engaged in a flight; and upon conviction any such person or persons shall pay a fine of not less than ten dollars, nor more than twenty-five dollars, or be imprisoned for a term not exceeding thirty days.

Penalty.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 126.

An Act for the protection of fur-bearing animals in New Jersey.

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

Protection to certain animals.

1. It shall be unlawful for any person, by moonlight or with the aid or by the use of any lamp, lantern or artificial light of any kind or description, to shoot or kill with a rifle of any kind or description, or any firearm or shotgun, any skunk, mink, muskrat or otter in this State, or to take or attempt to take any skunk, mink, muskrat or otter, except by means of a trap, or to disturb or destroy any muskrat lodge or nesting chamber.

Season for taking.

2. It shall be unlawful for any person to hunt, pursue, take or trap any skunk, mink, muskrat or otter in this State at all times hereafter, except from the fifteenth day of November in every year to the first day of April of the year following, both dates inclusive of each year; *provided*, that nothing in this act contained shall prevent the destruction at all times hereafter of muskrats which are damaging dams or canal banks by the owners or agents thereof.

Proviso.

Stealing traps.

3. It shall be unlawful for any person to take, carry away or unlawfully appropriate or purloin, with intent to steal, any trap or traps, the property of another, set along, by or in any of the public or private ditches, streams, ponds or waters in this State for the purpose of catching skunk, mink, muskrat or otter.

Unlawful to steal trapped animals.

4. It shall be unlawful for any person to take, carry away or unlawfully appropriate or purloin, with intent to steal, any skunk, mink, muskrat or otter, dead or alive, out of or from the trap or traps of any other person or persons in this State.

Penalties.

5. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall pay a penalty of one hundred dollars. Any person or persons violating any of the provisions of this act shall, whether or not such person has been criminally prosecuted for such violation, be liable to a penalty of twenty dollars for each offense, to be sued for and recovered in the manner provided and by the person or persons authorized to sue for and recover penalties by the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

6. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 127.

An Act to annex to the borough of Bound Brook, in the county of Somerset, a part of the township of Bridgewater, in the county of Somerset.

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

Boundaries of annexed portion.

1. All that portion of the township of Bridgewater, in the county of Somerset, lying within the following described boundaries, to wit:

Beginning at a point being the intersection of the northerly boundary line of said borough with the center line of Mountain avenue; thence in a westerly direction along said northerly boundary line of the borough to its intersection with the easterly line of property belonging to Stephen Brown; thence in a northerly direction along said easterly

line of Stephen Brown and passing through land of said Brown and George La Monte, in a straight line, twenty-nine hundred and thirty-two (2932) feet, more or less, to the center line of Middlebrook avenue; thence along said center line of Middlebrook avenue in an easterly direction thirty-two hundred (3200) feet, more or less, to the center line of Mountain avenue; thence along said center line of Mountain avenue in a southerly direction forty-three hundred and twenty-eight (4328) feet, more or less, to the place of the beginning, is hereby set off from the said township of Bridgewater, in the county of Somerset, and annexed to and made a part of the said borough of Bound Brook in the county of Somerset.

Referendum.

2. This act shall take effect immediately; *provided, however,* it shall not operate to effect the severance of the territory above described from the said township of Bridgewater, in the county of Somerset, and the annexation thereof to the said borough of Bound Brook, in the county of Somerset, until it shall have been accepted by a vote of a majority of the legal voters of the above-described territory voting thereon at a special election to be held within said described territory within sixty days from the date of the approval of this act, at a place within said described territory to be fixed by the clerk of the township of Bridgewater, in the county of Somerset. The clerk of the said township of Bridgewater, in the county of Somerset, shall cause public notice of the time and place of holding said election to be given by advertisement, signed by himself, and set up in at least ten public places within said described territory and published in one or more newspapers printed in the county of Somerset and circulating in the said township of Bridgewater, in the county of Somerset, at least ten days prior to such election. Said clerk shall provide for each elector voting at such election, ballots to be printed or written, or partly printed and partly written, on which shall be printed the

Special election.

Notice of.

Ballots.

word "for" and the word "against" above and immediately preceding the title of this act; and if the word "for" be marked off or defaced upon the ballot it shall be counted as a vote against the acceptance of said act; if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" shall be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed and shall be conducted by the election officers of the election district in the county of Somerset in which the above described territory lies. The polls shall be opened for the time provided by law for general elections in said township, and such election shall be conducted and the vote canvassed in the manner provided by law for such general election, but no special form of ballot or envelope need be used, nor shall it be necessary to mail sample ballots to the voters prior to such election.

Electon. How conducted.

Returns.

The officers holding such election shall make returns to the township committee of the township of Bridgewater, in the county of Somerset, of the result thereof, by a statement in writing under their hands, and the same shall be entered at length on the minutes of the said township committee, and thereupon and upon the acceptance of such act, but not otherwise, this act shall in all respects be operative.

Registry.

3. There shall be no special registration required for the said special election, but the board of election officers conducting such special election shall procure and use at such election a certified copy of the register of voters used at the last preceding general election, and only those persons shall be entitled to vote at such election as shall be legal voters of the above described territory. No person shall be entitled to vote whose name does not appear on said register unless such person shall

appear before said board of election and satisfy said board by affidavit, which the said board hereby is authorized to take, that such person resides within the above described territory and has acquired the right of suffrage in said election district since said registration was made. The election board conducting said special election shall be entitled to receive for their services in conducting such election the same fees as they are now entitled by law to receive for the conducting of any special election. These fees and the cost of conducting such election shall be paid by the borough of Bound Brook, in the county of Somerset, if the majority of the voters voting at such election vote "for" the acceptance of this act, and by the township of Bridgewater, in the county of Somerset, if the majority of such voters vote "against" the acceptance of this act.

Expenses of election.

4. Immediately after the statement of the result of such election shall be made to the township committee of the township of Bridgewater, in the county of Somerset , a copy thereof, certified by the clerk of said township, shall be forthwith filed in the office of the clerk of the county of Somerset.

Result filed with county clerk.

Approved March 25, 1913.

CHAPTER 128.

An Act to amend an act entitled "An act to authorize the State Water-Supply Commission to acquire lands, water rights and interests therein for the purpose of appropriating or conserving the potable waters of the State to the general and common use of the inhabitants thereof, and to provide for the payment for the said lands, water rights and interests therein and making appropriation therefor," approved April first, one thousand nine hundred and twelve.

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

Section 1 amended.

1. Section one of the act to which this is an amendment is hereby amended so as to read as follows:

Authorized to acquire lands, water rights, etc.

1. The State Water-Supply Commission as a body corporate shall have power to acquire by gift, purchase, condemnation, or in any other lawful manner, any lands, water rights and interests therein, whenever in its judgment it is advisable so to do, for the purpose of appropriating or conserving the potable waters of the State to the general and common use of the inhabitants thereof.

Right of entry.

In order that the advantage and desirability of the acquisition of any existing water plant or plants may be ascertained, the commission is hereby authorized to enter upon the property of any water company or companies, to have access to the books and accounts of any such company or companies, and may require any such company or companies to furnish such statement regarding the business and property of said company or companies as shall by the State Water-Supply Commission be requested.

If refusal, proceedings taken to enforce order.

In case of the refusal of any water company or companies to comply with any such request of the commission with reasonable expedi-

tion, the commission is hereby authorized to direct the Attorney-General to proceed in the name of the State to enforce its order in a court of competent jurisdiction; upon the filing of a petition by the Attorney-General in such court, a citation shall issue to the person or persons controlling or operating any such water plant or plants, commanding him or them to appear at a time and place named therein to show cause, if any exists, why the information ordered to be furnished shall not be given, and the court shall summarily hear the said cause, and upon hearing the parties, and by proceeding ex parte if the respondent fails to appear, the court may pass such order and decree in the premises as will effectually cause the production of such papers, books and records desired, and the court may enforce such orders and decree by injunction, process for contempt, or by such other processes as may be applicable in such cases. In case condemnation of such lands or water rights or interests therein shall become necessary, the proceedings shall be in accordance with the act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, nineteen hundred, and the acts amendatory thereof and supplemental thereto.

Condemnation proceedings.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 129.

An Act enabling and empowering any city now obtaining its water supply from other sources than artesian wells to dig and construct artesian wells to supply such city with water, and to purchase and erect or set up meters, machinery and other fixtures, and to construct connecting water-pipe lines and mains, and to purchase and condemn lands, waters and rights and otherwise to improve, enlarge and extend the water-supply and water-works plant of such city, and to issue bonds for the cost thereof.

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

Cities may secure water supply from artesian wells.

1. It shall and may be lawful for the governing body of any city now obtaining its water supply from other sources than artesian wells, whenever, in its judgment, it shall deem it expedient so to do, to dig and construct artesian wells to supply such city with water and to purchase and erect or set up meters, machinery and other fixtures in connection with and for the improvement of the water-supply and water-works plant of such city, and to cause to be constructed an additional pipe line or lines, main or mains, to connect such artesian water supply with any distributing reservoir within or without such city, and to purchase and condemn lands, waters and rights and otherwise to improve, enlarge and extend the water-supply and water-works plant of such city; *provided, however,* that all such work shall be done and constructed by contract, after public bidding therefor, in the manner prescribed in the laws now governing such city; *and provided further,* that the consent of the State Water Supply Commission to the taking and diverting of water from any proposed new or additional source of water supply, in accordance with

Proviso.

Proviso.

the laws of this State regarding water supplies, shall first be obtained.

2. In order to supply the funds required for the purposes mentioned in section one of this act, the governing body of such city is hereby authorized and empowered to issue water bonds of said city to an amount not exceeding two hundred thousand dollars, which bonds shall be sold at public sale for not less than par and accrued interest; and all moneys received from the sale of said bonds, including any premium or premiums, shall be used exclusively for such purposes. Bond issue. Amount.

3. The bonds to be issued under the provisions of this act shall be designated "water bonds" and shall be made payable in not more than thirty years from the date thereof, and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and shall be of such denomination as said governing body shall determine, and shall be executed under the corporate seal of such city and signed by the mayor and city clerk of such city, and may be either registered or coupon bonds as said governing body may direct, and such city shall, in its annual tax levy or otherwise, raise or provide sufficient money to pay the interest on said bonds, together with at least two per centum per annum of the principal thereof, to provide a sinking fund for the retirement of said bonds at maturity; or in lieu of providing for a sinking fund for the retirement of said bonds at maturity, the bonds may be so issued that a stated equitable amount of them (in value), having regard to other water bonds already issued, shall become payable at periods not more than thirty years from date, and in such case there shall be raised by tax or otherwise in each year such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during the year. Name of bonds. Time. Rate. Details of issue. Sinking fund.

4. This act shall be deemed a public act and shall take effect immediately, and that all acts and parts Repealer.

of acts inconsistent herewith, to the extent of such inconsistency only, are hereby repealed; *provided, however*, that this act shall not repeal or effect any other legislation or proceedings thereunder passed or taken, for the purposes of authorizing or empowering cities to construct pipe lines and mains or otherwise improve, enlarge or extend the water supply therein, and this act shall be deemed and it is hereby declared to be additional legislation for such purposes.

Proviso.

Approved March 25, 1913.

CHAPTER 130.

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

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

Bond issue to redeem outstanding notes.

1. Whenever the board of education of any school district in this State has heretofore issued and sold, or shall hereafter issue and sell, a note or notes for the purpose of purchasing land, the erection of a schoolhouse, the purchase of furniture and equipment for such schoolhouse or for erecting an addition to any schoolhouse, or for repairs or improvements in or upon any schoolhouse, and said note or notes are now or shall hereafter be outstanding and unpaid, the board of education of such school district may issue bonds for the purpose of redeeming and paying off such notes. Such bonds shall be authorized and issued in the same manner as bonds for the erection or improvement

of school houses are now authorized to be issued in such district.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 131.

An Act to amend the title of an act entitled "An act providing for the incorporation of medical milk commissions, and the certification of milk produced under their supervision," approved April twenty-first, nineteen hundred and nine, by adding to such title the words "and regulating the sale of milk as certified milk," and to amend the body of said act.

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

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

"An act providing for the incorporation of medical milk commissions, and the certification of milk produced under their supervision, and regulating the sale of milk as certified milk."

2. Section eleven of the act of which this act is amendatory be and the same hereby is amended so that it shall read as follows: Section 11 amended.

11. No person, firm or corporation shall sell or exchange, or offer or expose for sale, or exchange as and for certified milk, any milk which is not produced in conformity with the methods and regulations prescribed by a medical milk commission incorporated pursuant to the provisions of this act, or organized or incorporated in some other State for the purposes specified in section one hereof, or any milk which does not bear the certification of such medical milk commission, or which is not produced in conformity with the methods and regu- Milk not to be sold as certified unless produced according to standards.

lations for the production of certified milk, from time to time, adopted by the American Association of Medical Milk Commissions, or which is below the standards of purity or quality for certified milk as fixed by the American Association of Medical Milk Commissions. Any person, firm or corporation violating any of the provisions of this act shall be liable to a penalty of twenty-five dollars for the first offense and fifty dollars for the second and each subsequent offense, to be sued for and recovered by and in the name of the Board of Health of the State of New Jersey in an action of debt. For the collection of any judgment recovered by said board of health under the provisions of this act, an execution may be issued against the goods, chattels and body of the defendant without any order of the court. All penalties collected by said board for violation of this act shall be paid by said board to the Treasurer of the State of New Jersey.

Penalty.

Collection of judgment.

3. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 132.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Banking officials not to ask or receive favors.

1. Any officer, director, employee, agent or attorney of any bank, trust company, building and loan association or savings bank incorporated under the laws of this State who shall in anywise, directly or indirectly, ask for, demand, exact, require, receive or accept, for his personal use, benefit or advantage, any sum of money, or any property or other thing, or any credit, or any promissory note, bill

of exchange, check or other evidence of debt, or any security, promise, contract, covenant, agreement or obligation, express or implied, for the payment, delivery, alienation or transfer of any money, property or other thing, or for the performance or rendering of any act or service, as a bribe, present, reward, inducement, commission or fee for loaning any funds of or giving any credit on behalf of such bank, trust company, building and loan association or savings bank, or for recommending, approving, voting for or consenting to the making of any loan or the giving of any credit by such bank, trust company, building and loan association or savings bank, shall be guilty of a misdemeanor and punished by a fine not exceeding one thousand dollars, or by imprisonment, with or without hard labor as the court may direct, for any term not exceeding three years, or both. Penalty.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 133.

An Act to provide for and to regulate the salaries of board of street and water commissioners, police commissioners and fire commissioners in cities of the first class in this State.

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

1. In all cities of the first class in this State the salaries of the board of street and water commissioners, police commissioners and fire commissioners of such city may be fixed and determined by the common council, or other board or body of such city having control of the finances thereof, by resolution. And such salaries having been fixed and determined, shall not be increased or diminished during the term of office for which any such board Salaries of various commissioners fixed.

of street and water commissioners, police commissioners or fire commissioners shall have been or shall be elected or appointed. Until otherwise fixed and determined, as hereinbefore provided, the salaries of such board of street and water commissioners, police commissioners and fire commissioners shall be and remain as now fixed and determined by law.

Repealer.

2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 134.

An Act relating to the use of loose-leaf record books in the offices of the surrogates, county clerks and registers of deeds and mortgages of the counties of this State.

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

Loose-leaf record books authorized.

1. For the purpose of recording, re-recording, recopying or transcribing any or all papers, documents and instruments in writing in the offices of the surrogates, county clerks and registers of deeds and mortgages of any county of this State, loose-leaf record books may be used; *provided,* that immediately upon the completion of any such book for record purposes, the leaves thereof shall be securely and permanently bound and fastened together.

Proviso.

Full legal force given record.

2. The record of any papers, documents or instruments in writing, or the re-recording, recopying or transcribing thereof, heretofore made in the offices of the surrogates, county clerks and registers of deeds and mortgages of any county of this State, in loose-leaf record books, the leaves where-

of shall be securely and permanently bound and fastened together, shall have the same legal force, meaning and effect as if made in record books having leaves bound therein.

3. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 135.

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 closed seasons for such capture and possession (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three.

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

1. It shall be unlawful to sell, offer for sale or possess for sale for food purposes within this State, whether killed within or without this State, any of the dead bodies, or parts thereof, of squirrels of all species, wild deer of all species, and the dead bodies or parts thereof of any dead game birds or song birds belonging to any species or sub-species native to this State, protected by law, or belonging to any family, any species or sub-species of which is native to this State and protected by law, whether taken within or without this State, under a penalty of twenty dollars for each squirrel, wild deer or birds above mentioned, so sold, offered for sale or possessed for sale for food purposes as aforesaid; *provided, however,* that the unplucked carcasses of mallard and black ducks, pheasants of all species, Scotch grouse, European black grouse, European black plover, red legged partridge, Egyptian quail and the carcasses of deer, raised on game preserves in this State, or

Sale of certain game as food prohibited.

Penalty.

Proviso.

coming from another State or country, which are properly tagged by the State authorities, may be sold at any time for food purposes.

Act how enforced.

2. This act shall be enforced in the manner provided and by the persons authorized to sue for and recover penalties by the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the amendments thereof and supplements thereto.

Repealer.

3. All acts or parts of acts inconsistent with this act are hereby repealed.

4. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 136.

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" (Revision of 1907), approved May twentieth, one thousand nine hundred and seven.

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

Section 45 amended.

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

Right to condemn and destroy food.

45. Whenever any member of the State Board of Health, or local board of health, or any chemist, inspector or other employee of said boards shall find any meat, milk, fish, bird, fowl, vegetable or other food of a perishable nature exposed or offered for sale, or had in possession with intent to sell, in violation of any of the provisions of this

act, or in a state of rottenness or putrefaction, or in any condition which renders it, in his opinion, unwholesome or unfit for use for human food, he shall condemn the same, and cause it to be destroyed or disposed of in such a manner as to make it impossible to be thereafter used for human food. Any article of food or drug that is offered or exposed for sale, or had in possession with intent to distribute or sell, or is intended for sale or distribution in violation of any of the provisions of this act, or in any condition which renders it unwholesome or unfit for use as food, whether such article is in the custody of a common carrier or of any other person or corporation, such article not being in transit from one State to another, may be proceeded against in the Circuit Court or Court of Common Pleas, or District Court having jurisdiction in the county in which such food is exposed or offered for sale or had in possession or in custody as aforesaid, or before any judge of any such court, or before any justice of the peace in any such county, and seized for condemnation and confiscation, and authority and jurisdiction are hereby vested in the several courts above mentioned and in the judges thereof in vacation and in the several justices of the peace to issue the warrant and to hear and determine in a summary manner the proceedings herein provided for. Such proceedings shall be by complaint, verified by affidavit, which may be made on information and belief, and in the name of the Board of Health of the State of New Jersey or the local board of health, against the article or articles proceeded against, particularly describing the same, the place where they are located, the name of the person, firm or corporation in whose possession or custody they are found, if such name is known to the person making such complaint or can be ascertained by reasonable effort, and the respect in which such articles are adulterated or misbranded or the characteristics of the said articles which render the sale thereof illegal. Upon the

Courts having jurisdiction.

Proceedings.

Seizure of articles complained of.

filing of such complaint, verified as aforesaid, said court, judge or justice of the peace shall issue a warrant, directed to the sheriff or to any constable of the county commanding such officer to seize and take in his possession the article or articles described in the complaint, and bring the same before the court, judge or justice of the peace who issued the warrant, and to summon the person, firm or corporation named in the warrant, and any other person who may be found in possession of said article or articles, to be and appear at the time and place therein specified; such person shall be summoned by service of a copy of said warrant in the same way and manner as a summons issuing out of the court in which such warrant has been issued, is served, and when such warrant is issued by a justice of the peace, it shall be served upon such person in the same way and manner as a summons issuing out of the small cause court is served. The hearing upon such complaint shall be at the time and place specified in the warrant, which time shall not be less than five days or more than fifteen days from the date of issuing the said warrant; *provided, however,* that if the execution and service of the warrant, as aforesaid, has been less than three days before the return day of the warrant, then either party shall be entitled to a reasonable continuance. Upon the hearing the complaint may be amended, and any person, firm or corporation that appears and claims the said article or articles shall be required to file a claim in writing. If upon the hearing it shall appear that the goods seized under such warrant were offered or exposed for sale, or had in possession with intent to distribute or sell, or were intended for sale or distribution in violation of any provision of this act, or in any condition which rendered them unwholesome or unfit for food, the same shall be confiscated and disposed of by destruction or sale as the court, judge or justice of the peace may direct, and the proceeds thereof, if sold, less the legal

Party summoned.

Hearing.

Proviso.

Disposition of seized articles.

costs and charges, shall be paid to the Board of Health of the State, which board shall pay the same into the treasury of this State, or the local board of health for the use of the municipality, but such articles shall in no instance be sold contrary to the provisions of this act. In case the articles so seized, as aforesaid, are not injurious to health, and are of such a character that, when properly marked or branded, their sale is not prohibited by this act, the court, judge or justice of the peace, upon the payment of the costs of the proceedings above mentioned and the execution and delivery to the Board of Health of the State of New Jersey, or to the local board of health, as obligee of a good and sufficient bond to the effect that such articles so seized, as aforesaid, shall not be sold or otherwise disposed of contrary to the provisions of this act or the laws of any State, Territory or district of the United States or of any of the laws of the United States, may, by order, direct that such articles be delivered to the owner thereof.

Return to owner.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 137.

An Act to amend an act entitled "An act relative to the sale and distribution of the real estates of infants," approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

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

Section 1 amended.

1. Whenever an infant shall be seized of any lands, tenements, hereditaments either corporeal or incorporeal, or be entitled to any term to come

Sale of land authorized by chancellor.

in any lands in this State, or shall be entitled to the said property by virtue of a deed of trust wherein no power of sale is reserved to the trustee, and it shall be represented to the Chancellor on behalf of said infant, by his or her guardian or next friend, that his or her interest requires that the said lands, tenements, hereditaments or term should be sold or disposed of, the Chancellor may, in a summary manner, proceed to inquire into the merits of the application; and from such time the infant shall, so far forth as relates to such property, its proceeds and income, be considered a ward of the Court of Chancery.

Infant considered ward in chancery.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 138.

An Act to amend an act approved April twenty-eighth, one thousand nine hundred and five, entitled "An act authorizing the appointment in counties of the first class in this State of an interpreter in 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."

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

Section 1 amended.

1. Section one of the act 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, Court of Special Sessions, and the public offices connected therewith,

and fixing the salary of such interpreter," approved April twenty-eighth, nineteen hundred and five, be and the same is hereby amended to read as follows:

Court interpreter.

1. When the transaction of the public business of the Court of Common Pleas, the Circuit Court, the Court of General Quarter Sessions of the Peace, the Orphans' Court, the Court of Special Sessions, and the business connected with said courts in the offices of the prosecutor of the pleas, the sheriff, the county clerk, the surrogate and of the grand jury, in any county of the first class in this State, may be expedited or improved thereby, the presiding judge of the Court of Common Pleas in said county may appoint an interpreter of the Polish and Russian languages to serve during the pleasure of the appointing power. The said interpreter shall be in daily attendance during the several terms of the courts, upon the judges of the county and circuits courts, the Supreme Court justice and the officers charged with the public business of said courts, for the interpretation of the Polish and Russian languages and dialects in the transaction of the public business thereof; and said interpreter shall receive as compensation for his services a salary not to exceed eighteen hundred dollars per annum, to be paid semi-monthly by the county collector upon a formal claim for services rendered, verified by the oath of the claimant and approved by the said judge of the Court of Common Pleas in said county.

Duties.

Compensation.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 139.

A Supplement to an act entitled "An act to define the duties and fix the salary of the Attorney-General," approved February twenty-fourth, one thousand eight hundred and fifty-four.

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

Second assistant attorney-general; salary.

1. It shall be lawful for the Attorney-General to appoint from the counsellors-at-law in his office a person to be known as second assistant Attorney-General, and to receive an annual salary of four thousand eight hundred dollars, to be paid out of the treasury of this State as the salaries of other State officers are paid, and who shall not be removed from his office except in accordance with the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employes of this State, and of the various counties and municipalities thereof, and providing for a civil service commission and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and the acts amendatory thereof and supplementary thereto. Said second assistant Attorney-General shall, in conjunction with the Attorney-General and assistant Attorney-General, assist in the performance of all the duties cast upon the office of Attorney-General.

Duties.

2. This act shall take effect immediately.

Approved March 25, 1913.

CHAPTER 140.

A supplement to an act entitled "An act concerning trust companies (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

Branches of trust companies must be approved by commissioner of banking.

1. No trust company shall establish or maintain any branch office or agency for the transaction of its business in this State without the approval in writing of the Commissioner of Banking and Insurance, which approval shall be given by him only if it shall appear to him that the establishment of such branch office or agency will be of public service; nor shall the establishment of such branch office or agency be approved by the Commissioner of Banking and Insurance unless the capital of such trust company actually paid in in cash shall exceed the amount required by law for the incorporation of a trust company to the extent of one hundred thousand dollars for each branch office or agency so established; nor shall approval be given for the establishment of any such branch office or agency outside the county in which such trust company is located; *provided,* that nothing in this act contained shall prevent the maintenance of any branch office or agency heretofore lawfully established.

As to capital.

Proviso.

Penalty.

2. Every trust company and every officer and director thereof establishing or maintaining such branch office or agency without such written approval shall, for every week during which such branch office or agency shall be maintained, forfeit to the State the sum of one thousand dollars, to be recovered with costs in an action prosecuted by the Attorney-General in the name of the State.

Repealer.

3. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 141.

An Act to provide for the acquisition of "Washington Rock" and adjoining lands in the county of Somerset and for the appointment of a commission to improve and maintain the same as a public park.

Preamble.

WHEREAS, General George Washington, while in command of the Continental Army during the year of one thousand seven hundred and seventy-seven, did, by frequent observations from the rock known as "Washington Rock," on the brow of the Watchung Mountains, in the county of Somerset, keep himself informed of the position and movements of the British troops then encamped in this State; and

WHEREAS, The said "Washington Rock" and ten acres of adjoining property has been acquired by Charles W. McCutchen, Esquire, of the county of Somerset, to the end that the same may be preserved for public use in commemoration of the strategic advantages obtained by observation from the said locality by General George Washington as aforesaid; and

WHEREAS, The Continental Chapter of the Daughters of the American Revolution has by means of private subscription erected on said lands a monument known as the "Washington Rock Memorial," and has otherwise improved said lands; and

WHEREAS, In order that the historic importance of the said "Washington Rock" may be fully appreciated by succeeding generations, it is now proposed that the said rock and lands adjoining shall

be acquired by the State and maintained as a public park; and

WHEREAS, The said Charles W. McCutchen, Esquire, is willing to convey the said lands acquired by him as aforesaid to the State for such purpose.

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

Washington Rock commission.

1. The Adjutant-General and the Commissioner of Roads of this State for the time being, and five other persons, citizens of this State, to be named by the Governor, three of whom shall be members of the Daughters of the American Revolution, shall be and they hereby are constituted a commission to be known as the "Washington Rock Park Commission," with power in it to acquire by deed of gift in the name of the State of New Jersey the land on which "Washington Rock," in the county of Somerset, is located, together with adjoining lands not to exceed one hundred acres in extent, and to take over, care for, keep, improve, maintain and develop the said lands as a public park in commemoration and appreciation of the importance of the events transacted in said locality during the Revolutionary War, which said park shall be known as the "Washington Rock Park." The said commission shall have full power to make rules and regulations for the use and government of the said park. The Governor shall fill all vacancies that may occur by death, resignation or otherwise in that portion of the commission to be appointed by him as aforesaid. The members of the said commission to be appointed by the Governor as aforesaid shall hold office during his pleasure. No member of the commission shall receive any compensation for their services. Any four members of the commission shall constitute a quorum thereof for the transaction of business.

Powers and duties.

Vacancies.

Appropriation.

2. The sum of five thousand dollars be and the same hereby is appropriated when included in the annual or supplemental appropriation bill, for the

purpose of carrying out the provisions of this act. And the Comptroller of the State of New Jersey shall and he hereby is directed to draw his warrant in payment of all bills approved by said commission, and the Treasurer of the said State shall and he is hereby directed to pay all warrants so drawn to the extent of the amount hereby or hereafter to be appropriated by the Legislature for the purposes of said commission; *provided, however,* that before the payment of any portion of the said appropriation the person or persons holding the title to any and all lands to be acquired by virtue of this act shall convey the same by deed of gift to the State of New Jersey for the purposes of a public park.

Proviso.

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

Approved March 27, 1913.

CHAPTER 142.

An Act to incorporate the first judicial district of the county of Ocean.

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

First judicial district of Ocean; how comprised.

1. The following-described territory, to wit, all that part of the county of Ocean, in the State of New Jersey, comprised within the following boroughs and townships, within the said county, to wit: Boroughs of Bay Head, Barnegat City, Beach Haven, Harvey Cedars, Island Heights, Sea Side Park, Lavallette, Mantoloking, Point Pleasant Beach and Surf City, and the townships of Berkeley, Brick, Dover, Jackson, Lacey, Lakewood, Manchester, Long Beach, Ocean and Union, be and the same hereby is established and incorporated to be the first judicial district of the county of Ocean, and the provisions of an act entitled "An act concerning district courts" (Revision of 1898), ap-

proved June fourteenth, one thousand eight hundred and ninety-eight, and the various amendments thereof and supplements thereto, as far as the same may be applicable, shall apply to the district hereby established.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 143.

A Further Supplement to an act entitled "An act relating to trustees," approved March twenty-seventh, eighteen hundred and seventy-four.

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

Transfer of real estate by trustees with consent of children of testator.

1. Where any person has died or shall die leaving a last will and testament, devising lands situate, lying and being in the State of New Jersey to a trustee or trustees for any purpose or purposes, and giving to such trustee or trustees full power to convey any and all of such real estate upon the unanimous consent of all of the children of such testator, and such will has been or shall be duly admitted to probate, and where, after the probate of such will, some of the children of such testator, living at the time of the death of such testator, have died or shall die, and where, at the time of the exercise of such power of sale by such trustee or trustees or any person or persons lawfully substituted as such trustee or trustees, some of the children of such testator shall be alive, such trustee or trustees, or any person or persons lawfully substituted as such trustee or trustees, shall have full power to convey any and all of such real estate so devised by any testator, and to give good and valid deeds of conveyance for the same, upon the unanimous consent of all of the children of such testator living

at the time of the exercise of such power of sale by such trustee or trustees or any person or persons lawfully substituted as such trustee or trustees.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 144.

An Act to authorize and to provide for requiring the construction, maintenance and operation of an extension or extensions of street railway tracks in cities of the first class in this State for the purpose of connecting or of making a detour of existing tracks.

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

Extension of trolley tracks.

1. Whenever, in the judgment of the board or body having control of the highways of any city of the first class in this State, public interest or convenience requires an extension or extensions therein of street railway tracks for the purpose of connecting or of making a detour of existing tracks, it shall be lawful for such board or body having control of the highways, after notice and hearing in the manner prescribed by law in case of application for consent to construct street railways in the highways thereof, by ordinance, to authorize the construction, maintenance and operation of such extension or extensions of street railway tracks for either of the purposes aforesaid; *provided,* that no authority for any one such extension more than one-half a mile in length shall be given under this act; *and provided further,* that for such extension it shall not be necessary to obtain the consent of any of the owners of the land fronting on the line thereof; *and provided further,* that no authority to extend and operate any street railway in pursu-

Proviso.

Proviso.

Proviso.

ance of this act shall be for a longer term than fifty years.

Extension may be required.

2. Whenever, in the judgment of the board or body having control of the highways of any city of the first class in this State, public interest or convenience requires an extension or extensions therein of street railway tracks for the purpose of connecting or of making a detour of existing tracks, it shall be lawful for such board or body having control of the highways in the event of the failure of the street railway company or companies operating the street railway line or lines proposed to be connected by the extension herein authorized, after opportunity for a hearing before said board or body has been given to said street railway company or companies, by ordinance, to require the construction, maintenance and operation of such extension or extensions of street railway tracks for either of the purposes aforesaid; *provided,* that no requirement for any single such extension more than one-half a mile in length shall be made under this act; *and provided further,* that for such extension it shall not be necessary to obtain the consent of any of the owners of the land fronting on the line thereof; *and provided further,* that no requirement to extend and operate any street railway in pursuance of this act shall be for a longer term than fifty years.

Proviso.

Proviso.

Proviso.

Approval by utility commission.

3. No privilege granted, or requirement made, by or under authority hereof, shall be valid or effective until the same has been approved, after hearing, by order in writing by the Board of Public Utility Commissioners for the State of New Jersey.

Repealer.

4. All acts and parts of acts, general and special, inconsistent herewith, shall be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 145.

A Further Supplement to an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

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

Act extended to employer of official bodies.

1. Every employee who shall be in the employ of the State, county, municipality or any board or commission, or any other governing body, including boards of education, within this State, shall be compensated under and by virtue of section two to which this act is a supplement; *provided, however,* that no person receiving a salary greater than twelve hundred dollars per year, nor any person holding an elective office shall be entitled to compensation; *and provided further,* that nothing herein contained shall be construed as affecting any pension fund now or hereafter provided by law.

Proviso.

Proviso.

How names carried on pay roll.

2. When any payment shall be due under the provisions of this supplement or the act to which it is a supplement, the name of the injured employee, or in case of his death, the names of the persons to whom payment is to be made as his dependents, shall be carried upon the pay roll, and payment shall be made in the same manner and from the same source in which and from which the wages of the injured employee were paid. In event that any extraordinary payment larger than the weekly rate of compensation shall be due, such pay-

Meeting unusual demands.

ment shall be made from any fund available for the maintenance or incidental expenses of the institution, department, board or governing body under and by which the employee was employed.

3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 27, 1913.

CHAPTER 146.

An Act to repeal section eighteen of an act entitled "An act to establish a State system of highways, providing for their construction, improvement, maintenance, repair, and regulation of the use thereof and for a road fund and its disbursement in lawful expenditures appertaining to roads," approved April fifteenth, one thousand nine hundred and twelve.

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

1. Section eighteen of an act entitled "An act to establish a State system of highways, providing for their construction, improvement, maintenance, repair, and regulation of the use thereof and for a road fund and its disbursement in lawful expenditures appertaining to roads," approved April fifteenth, one thousand nine hundred and twelve, be and the same is hereby repealed. Section 18 repealed.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 147.

An Act to encourage the propagation of certain kinds of game within the State of New Jersey and providing a license therefor.

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

License to operate game farm.

1. Any person desiring to engage in the business of raising and selling domesticated English ring-necked, Mongolian and other pheasants, mallard and black ducks and deer, or any of them in a wholly enclosed preserve of which he is the owner or lessee, may make application in writing to the Board of Fish and Game Commissioners for a license so to do. The Board of Fish and Game Commissioners, when it shall appear that such application is made in good faith, shall, upon the payment of a fee of five dollars, issue to such applicant a breeder's license, permitting such applicant to breed and raise domesticated English ring-necked, Mongolian and other pheasants, mallard and black ducks and deer or any of them in confinement in such wholly enclosed preserve the location of which shall be stated in such license, and to sell the same and ship from the State alive at any time for breeding or stocking purposes, and to kill the same and sell the carcasses for food as hereinafter prescribed, and said license shall expire December thirty-first of each year; *provided, however,* that no licensee shall ship any of the said birds or deer from this State alive until after he or she has first offered said birds or deer to the Board of Fish and Game Commissioners of this State at a reasonable price, which price shall not exceed the price at which such licensee shall offer for sale such birds or deer in any place outside this State. No deer shall be shipped alive out of this State before such li-

License fee.

Nature of permit.

Proviso.

Shipping live deer.

censee shall have paid to said board an additional fee of five dollars for each deer shipped alive out of this State. Any person to whom such a license shall have been issued as aforesaid may kill by shooting or in any other manner any such birds or deer, bred or raised in such preserve at any time, and sell the same for food; *provided,* that such birds or deer have not been previously released from confinement in such preserve, but no such birds or deer shall be sold for food unless each bird or deer shall have been tagged with a suitable tag or seal which shall be supplied by the Board of Fish and Game Commissioners. Pheasants, mallard and black ducks and deer so killed and tagged may be possessed, sold or offered for sale at any time.

Sale of game as food.

Proviso.

Common carriers shall receive and transport pheasants, mallard and black ducks, and deer tagged as aforesaid, but to every package containing any such birds or deer shall be affixed a tag or label upon which shall be plainly printed or written the name of the person to whom such license was issued and by whom such birds or deer were killed, the name or names of the person or persons to whom such birds or deer are to be transported, the number of each kind contained therein and that the same were killed and tagged in accordance with the provisions of this section.

Conditions observed in transportation.

2. The Board of Fish and Game Commissioners shall be entitled to receive and shall collect for each tag or seal affixed to the carcass of any animal or bird, as provided in section one of this act, the sum of five cents.

Tag fee.

3. The said tags or seals shall remain affixed as aforesaid until the carcasses of such birds or deer shall have been entirely consumed, and the sale of any portion of a bird or deer which shall not at the time have affixed thereto the tag or seal aforesaid shall constitute a violation of this act; *provided, nevertheless,* that the keeper of a hotel, restaurant or boarding house, a retail dealer in meat or a club

Tag to remain affixed.

Proviso.

may sell a portion of a bird or deer so tagged to a guest, customer or member for consumption.

Report by licensee.

4. On or before the fifteenth day of January of each year, every person to whom a license shall have been issued as aforesaid shall make a report to the Fish and Game Commisisoners which shall state the total number of pheasants, mallard and black ducks and deer killed and sold or transported the preceding year, the name or names of the person or persons to whom such pheasants, mallard or black ducks or deer were sold or transported, and such report shall be verified by the affidavit of the person to whom such license was issued, or if the license was issued to a corporation by an officer thereof.

Cancellation of license.

5. If any person to whom any such license shall have been issued shall be convicted of a violation of the fish and game laws, the Fish and Game Commissioners may cancel the license of such person and thereafter no similar license shall be issued to such person or corporation.

Penalty.

6. Any person violating any of the provisions of this act shall be liable to a penalty of twenty dollars for each offense.

Act repealed.

7. The act entitled "An act to encourage the propagation of certain kinds of game within the State of New Jersey, and providing a license therefor," approved April first, nineteen hundred and twelve, be and the same is hereby repealed.

License heretofore granted valid.

Any license, however, heretofore granted in accordance with the provisions of said act shall remain in full force and virtue until the thirty-first day of December, nineteen hundred and sixteen, on which date all such licenses shall become void.

8. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 148.

A Further 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.

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

Validity of prosecution.

1. In any prosecution instituted under the act to which this act is a further supplement, the complaint filed therein, if made by a fish and game commissioner, the fish and game protector or the assistant fish and game protector, will be considered duly verified if made under the oath or affirmation of any such official, which oath or affirmation may be made by any such official upon information or belief.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 149.

An Act concerning the annexation of part of one town or township to another municipality, and also the creation of new municipalities from such towns, townships or part thereof, and relating to the tenure of office and salary of uniform paid firemen in territory so annexed or created.

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

Tenure of firemen in annexed municipalities.

1. Whenever part of a town or township shall be annexed to or consolidated with any other municipality of this State by or pursuant to any gen-

eral, local or special law, all firemen living in any territory so annexed to another municipality, who shall have been members of the fire department of such town or township for at least one year, shall thereby become firemen of the municipality to which such territory is annexed, and shall thereafter be paid by such municipality, and shall be subject to all the rules and regulations thereof affecting the firemen, and the tenure of office of such firemen shall remain the same as they were at the time of such annexation.

In case of firemen in new municipalities.

2. Whenever any town or township, or any part thereof, is created a city, town, borough, village or other municipality, by or pursuant to any general, local or special law, the members of the fire department residing in the part thereof so created a new municipality, shall thereafter be paid by such new municipality, and shall be subject to all the rules and regulations thereof affecting the firemen. The salary and tenure of office of such firemen shall remain the same as they were at the time of creation of such new municipality; *provided, however,* that such firemen shall have been members of the fire department of such town or township for at least one year.

Proviso.

3. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 150.

An Act to amend an act entitled "An act to regulate the practice of architecture," approved March twenty-fourth, one thousand nine hundred and two.

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

Section 11 amended.

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

Revocation of license.

11. Any certificate granted by the said board or obtained by affidavit, as above provided, may be revoked by the said board of architects for gross ignorance, recklessness, incompetency, dishonest practices, or other good and sufficient reasons; but before any certificate shall be revoked, the holder shall be entitled to at least twenty days' notice of the charge against him and of the time and place of the meeting of the board for the hearing and determination of such charge; for such purpose the board shall have the powers of a court of record, sitting in the county in which its meeting shall be held, to issue subpœnas, and to compel the attendance and testimony of witnesses; witnesses shall be entitled to the same fee as a witness is allowed in the circuit courts of this State, to be paid in like manner; the accused shall be entitled to the subpœna of the board for his witnesses, and a reasonable opportunity to produce his witnesses, and to be heard in person, or by counsel, in open public trial; the members of the board shall have power to administer oaths and conduct such examination of witnesses under oath; and no certificate shall be revoked except upon the unanimous vote of all the members of the board; and any such revocation of certificates shall be certified in writing by the said State Board of Architects, under the hand of its president, or its president for the time being, and attested by the secretary, with the official seal of said board affixed thereto, and such certificate shall be filed in the office of the Secretary of State, who shall be paid the usual fee for filing similar documents in his office.

Board to sit as court; subpoenas, witnesses, etc.

Revocation certified.

Section 13 amended.

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

Practicing without license misdemeanor.

13. If any person shall pursue the practice of architecture in this State, or shall engage in this State in the business of preparing plans, specifications and preliminary data for the erection or alterations of buildings, or shall advertise or put out

New Jersey State Library

any sign, card or drawing, designating himself as an architect, having an office or doing business within this State without a certificate thereof, in accordance with the provisions of this act, he shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars and not more than five hundred dollars for each offense, or imprisonment in the county jail for a period of not less than one month.

Penalty.

Section 14 amended.

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

Exceptions.

14. But nothing herein contained shall be construed to prohibit students or employees of licensed architects from acting upon the authority of such licensed architects, or to prohibit any person in this State from acting as designer of any building that is to be constructed by himself or his employees.

Section 17 amended.

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

Expenses met.

17. The members of the board shall be entitled to reimbursement for their traveling and other expenses, incurred in pursuance of their duties; *provided, however*, such other expenses shall not exceed five dollars per diem for each member of the said board; the secretary and treasurer of the State Board of Architects shall receive such annual compensation as shall be provided by the board, by resolution adopted by it at a regular meeting; no member of the board shall be held personally responsible for any portion of the secretary and treasurer's salary, should the fees for certificates received by said board be insufficient to meet the same.

Proviso.

Approved March 27, 1913.

CHAPTER 151.

A Supplement to an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four.

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

Examinations in foreign languages.

1. It shall be lawful for the State Board of Medical Examiners, if application therefor be made to said board within ten days prior to any examination, by any applicant for license to practice medicine and surgery within this State, to have translated in such language or languages, as such Board of Medical Examiners may deem proper, the questions to be propounded to the applicant at any such examination, and if such questions are translated, the said applicant or applicants may answer the same in the language in which such questions are translated.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 152.

A Further Supplement to the act entitled "An act to establish public parks in certain counties in this State and to regulate the same," approved March fifth, one thousand eight hundred and ninety-five.

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

Bond issues.

1. To meet the further expenses to be incurred under the provisions of the act to which this is a

further supplement for the acquisition, development and improvement of parks and parkways in any county in this State in which said act shall or may hereafter be in force the board of chosen freeholders may from time to time, in addition to any bonds theretofore authorized by law, on the requisition of said board of park commissioners, in the name and on the credit of the said county, borrow money by issuing the bonds of the said county to a sum not exceeding, in the aggregate, five hundred and twenty-five thousand dollars over and above the total amount theretofore authorized by law, such bonds to run for a term not exceeding fifty years, to bear interest at a rate not exceeding four and one-half per centum, payable semi-annually; such bonds shall not be sold or disposed of at less than their par value, and may be made payable at any place which the said board of chosen freeholders may determine, and they shall also determine the form of the bond. A sinking fund shall be established by the said board of chosen freeholders on the issuing of any such bonds sufficient, with the accumulations thereof, to extinguish the principal of the said bonds so issued when due. The interest and principal of the said bonds issued under the authority of this act shall be the debt or obligation of the county wherein they are issued, and the payment thereof shall be provided for by taxation in the same manner that other debts and obligations of the county are provided for by taxation. The proceeds of the sale of said bonds, after deducting expenses for negotiating the same and for engraving, and all other expenses connected with their issue and sale, shall be paid over to the said park commission.

Amount.

Time; rate.

Sinking fund.

Use of proceeds.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 153.

An Act to permit the use of paving, sewer, refuse, filling or other material owned by cities of the first class of this State in the grading, curbing, flagging, sewering, paving, repaving and otherwise improving of streets and highways in such cities, and to include the reasonable value thereof in the cost and expenses to be assessed against lands and real estate for any of said improvements in the manner now or hereafter provided by law.

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

Use of city materials in improvements.

1. It shall hereafter be lawful for the board or body having charge of the streets and highways in cities of the first class of this State to use or cause to be used any paving, sewer, refuse, filling or other material owned by any such city in any grading, curbing, flagging, sewering, paving, repaving and otherwise improving of streets and highways; and upon the completion of any such improvement wherein any such material shall have been used, said board or body shall certify in writing to the board or body in such cities having the power to assess lands and real estate for benefits by reason of any of the aforesaid improvements the reasonable value of any such material owned by such cities and used in any of such improvements, whereupon said assessment board or body shall include the value of such material, so certified, in any assessments to be made in the manner now or hereafter provided by law for the costs and expenses to be hereafter incurred for any such improvements.

Value charged when assessing.

Repealer

2. This act shall take effect immediately, and inconsistent parts of all other acts, general or special, are hereby repealed.

Approved March 27, 1913.

CHAPTER 154.

An Act to authorize cities of the first class in this State to provide music in the public parks and public amusement places.

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

Cities to provide music.

1. It shall be lawful for the municipal board having charge of the finances of any city of the first class in this State to appropriate a sum of money not exceeding ten thousand dollars ($10,000) in any one year for the purpose of providing music in the public parks and public amusement places of such city, and to raise, levy and collect said money so appropriated in the same manner as other taxes are levied and collected in said city. The appropriation for and the control and supervision of said music shall be under the control and supervision of a committee of said municipal board.

Bonds issued to meet expenses.

2. The said board having charge and control of the finances of any such city, is hereby authorized to raise the said sum of money called for by the first appropriation made under this act, by issuing and selling temporary loan bonds in the name and upon the credit of the city, and to put the amount of the interest and principal of said temporary loan bonds into the next tax levy thereafter made in such city, and to levy and collect the said amount in the same manner as other taxes are levied and collected in any such city.

Contracts.

3. All contracts for such music shall be approved by the mayor of such city, and any provision of the laws of this State requiring contracts in such city to be made to the lowest responsible bidder, shall not apply to contracts made in pursuance of this act.

4. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 155.

An Amendment to an act entitled "A supplement to 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," approved March thirty-first, one thousand nine hundred and three.

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

1. Applicants for admission to the home organized under the act to which this act is a supplement, on complying with the other terms and provisions of this act, and on proof that such applicants have been lawfully married for a period of not less than ten years and that the wife is not less than fifty years of age, shall be admitted as patients at said home. Terms of admission.

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

Approved March 27, 1913.

CHAPTER 156.

An Act to make uniform the law of bills of lading.

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

PART I.

THE ISSUE OF BILLS OF LADING.

Bills considered.

1. (*Bills governed by this act.*) Bills of lading issued by any common carrier shall be governed by this act.

Form of bills.

2. (*Form of bills. Essential terms.*) Every bill must embody within its written or printed terms—

(a) The date of its issue,

(b) The name of the person from whom the goods have been received,

(c) The place where the goods have been received,

(d) The place to which the goods are to be transported,

(e) A statement whether the goods received will be delivered to a specified person, or to the order of a specified person,

(f) A description of the goods or of the packages containing them which may, however, be in such general terms as are referred to in section twenty-three, and

(g) The signature of the carrier.

A negotiable bill shall have the words "order of" printed thereon immediately before the name of the person upon whose order the goods received are deliverable.

A carrier shall be liable to any person injured thereby for the damage caused by the omission from a negotiable bill of any of the provisions required in this section.

3. (*Forms of bills. What terms may be inserted.*) A carrier may insert in a bill, issued by him, any other terms and conditions, provided that such terms and conditions shall not— Terms insertible.

(a) Be contrary to law or public policy, or

(b) In anywise impair his obligation to exercise at least that degree of care in the transportation and safekeeping of the goods entrusted to him which a reasonably careful man would exercise in regard to similar goods of his own.

4. (*Definition of non-negotiable or straight bill.*) A bill in which it is stated that the goods are consigned or destined to a specified person, is a non-negotiable or straight bill. Straight bill.

5. (*Definition of negotiable or order bill.*) A bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill, is a negotiable or order bill. Any provision in such a bill that it is non-negotiable shall not affect its negotiability within the meaning of this act. Definition.

6. (*Negotiable bills must not be issued in sets.*) Negotiable bills issued in this State for the transportation of goods to any place in the United States on the continent of North America, except Alaska, shall not be issued in parts or sets. Not issued in sets.

If so issued the carrier issuing them shall be liable for failure to deliver the goods described therein to anyone who purchases a part for value in good faith even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts.

7. (*Duplicate negotiable bills must be so marked.*) When more than one negotiable bill is issued in this State for the same goods to be transported to any place in the United States on the continent of North America, except Alaska, the word "duplicate," or some other word or words indicating that the document is not an original bill, shall be placed plainly upon the face of every such bill, except the one first issued. A carrier shall be Duplicates.

liable for the damage caused by his failure so to do to anyone who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill.

Non-negotiable bills so marked.

8. (*Non-negotiable bills shall be so marked.*) A non-negotiable bill shall have placed plainly upon its face by the carrier issuing it "non-negotiable" or "not negotiable."

This section shall not apply, however, to memoranda or acknowledgments of an informal character.

Person notified.

9. (*Insertion of name of person to be notified.*) The insertion in a negotiable bill of the name of a person to be notified of the arrival of the goods shall not limit the negotiability of the bill, or constitute notice to a purchaser thereof of any rights or equities of such person in the goods.

Acceptance by consignor binding.

10. (*Acceptance of bill indicates assent to its terms.*) Except as otherwise provided in this act, where a consignor receives a bill and makes no objection to its terms or conditions at the time he receives it, neither the consignor nor any person who accepts delivery of the goods, nor any person who seeks to enforce any provision of the bill, shall be allowed to deny that he is bound by such terms and conditions, so far as they are not contrary to law or public policy.

PART II.

OBLIGATIONS AND RIGHTS OF CARRIERS UPON THEIR BILLS OF LADING.

Obligation binding.

11. (*Obligation of carrier to deliver.*) A carrier, in the absence of some lawful excuse, is bound to deliver goods upon a demand made either by the consignee named in the bill for the goods, or if the bill is negotiable, by the holder thereof, if such demand is accompanied by—

(a) An offer in good faith to satisfy the carrier's lawful lien upon the goods,

(b) An offer in good faith to surrender, properly indorsed, the bill which was issued for the goods, if the bill is negotiable, and

(c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the carrier.

In case the carrier refuses or fails to deliver the goods in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure.

Delivery justified.

12. (*Justification of carrier in delivering.*) A carrier is justified, subject to the provisions of the three following sections, in delivering goods to one who is—

(a) A person lawfully entitled to the possession of the goods, or

(b) The consignee named in a non-negotiable bill for the goods,

(c) A person in possession of a negotiable bill for the goods by the terms of which the goods are deliverable to his order, or which has been indorsed to him or in blank by the consignee or by the mediate or immediate indorsee of the consignee.

Liability for misdelivery.

13. (*Carrier's liability for misdelivery.*) Where a carrier delivers goods to one who is not lawfully entitled to the possession of them, the carrier shall be liable to anyone having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by subdivisions (b) and (c) of the preceding section; and, though he delivered the goods as authorized by either of said subdivisions, he shall be so liable if prior to such delivery he—

(a) Had been requested, by or on behalf of a person having a right of property or possession in the goods, not to make such delivery, or

(b) Had information at the time of the delivery that it was to a person not lawfully entitled to the possession of the goods.

A request or information to be effective within the meaning of this section must be given to an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a request or information, and must be given in time to enable the officer or agent to whom it is given, acting with reasonable diligence, to stop delivery of the goods.

Bills cancelled on delivery.

14. (*Negotiable bills must be cancelled when goods delivered.*) Except as provided in section twenty-seven, and except when compelled by legal process, if a carrier delivers goods for which a negotiable bill had been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to anyone who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier, and notwithstanding delivery was made to the person entitled thereto.

In case of partial delivery.

15. (*Negotiable bills must be cancelled or marked when parts of goods delivered.*) Except as provided in section twenty-seven, and except when compelled by legal process, if a carrier delivers part of the goods for which a negotiable bill had been issued and fails either—

(a) To take up and cancel the bill, or

(b) To place plainly upon it a statement that a portion of the goods has been delivered, with a description, which may be in general terms, either of the goods or packages that have been so delivered or of the goods or packages which still remain in the carrier's possession, he shall be liable for failure to deliver all the goods specified in the bill, to any one who for value and in good faith purchases it, whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

16. (*Altered bills.*) Any alteration, addition or erasure in a bill after its issue without authority from the carrier issuing the same either in writing or noted on the bill shall be void, whatever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor. Altered bills.

17. (*Lost or destroyed bills.*) Where a negotiable bill has been lost or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient surety to be approved by the court to protect the carrier or any person injured by such delivery from any liability or loss, incurred by reason of the original bill remaining outstanding. The court may also in its discretion order the payment of the carrier's reasonable costs and counsel fees. Lost or destroyed bills.

The delivery of the goods under an order of the court as provided in this section, shall not relieve the carrier from liability to a person to whom the negotiable bill has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

18. (*Effect of duplicate bills.*) A bill upon the face of which the word "duplicate" or some other word or words indicating that the document is not an original bill is placed plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants that such bill is an accurate copy of an original bill properly issued, but no other liability. Effect of duplicates.

19. (*Carrier cannot set up title in himself.*) No title to goods or right to their possession, asserted by a carrier for his own benefit, shall excuse him from liability for refusing to deliver the goods according to the terms of a bill issued for them, unless such title or right is derived directly or indirectly from a transfer made by the consignor or consignee after the shipment, or from the carrier's lien. Title in carrier not to excuse.

Interpleader.

20. (*Interpleader of adverse claimants.*) If more than one person claims the title or possession of goods, the carrier may require all known claimants to interplead, either as a defence to an action brought against him for non-delivery of the goods, or as an original suit, whichever is appropriate.

Time to determine claims.

21. (*Carrier has reasonable time to determine validity of claims.*) If some one other than the consignee or person in posession of the bill, has a claim to the title or possesion of the goods, and the carrier has information of such claim, the carrier shall be excused from liability for refusing to deliver the goods either to the consignee or person in possession of the bill, or to the adverse claimant, until the carrier has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

Adverse title no defense.

22. (*Adverse title is no defence, except as above provided.*) Except as provided in the two preceding sections and in section twelve, no right or title of a third person unless enforced by legal process shall be a defence to an action brought by the consignee of a non-negotiable bill or by the holder of a negotiable bill against the carrier for failure to deliver the goods on demand.

Liability for non-receipt or misdescription.

23. (*Liability for non-receipt or misdescription of goods.*) If a bill of lading has been issued by a carrier, or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the issuing of bills of lading, the carrier shall be liable to—

(a) The consignee named in a non-negotiable bill, or

(b) The holder of a negotiable bill,

Who has given value in good faith relying upon the description therein of the goods, for damages caused by the non-receipt by the carrier or a connecting carrier of all or part of the goods or their failure to correspond with the description thereof in the bill at the time of its issue.

If, however, the goods are described in a bill merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind or quantity, or in a certain condition, or it is stated in the bill that packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition of the contents of packages are unknown, or words of like purport are contained in the bill, such statements, if true, shall not make liable the carrier issuing the bill, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in the condition they were said to be by the consignor. The carrier may, also, by inserting in the bill the words "shippers load and count" or other words of like purport, indicate that the goods were loaded by the shipper and the description of them made by him; and if such statement be true, the carrier shall not be liable for damages caused by the improper loading or by the non-receipt or by the misdescription of the goods described in the bill.

Attachments.

24. (*Attachment or levy upon goods for which a negotiable bill has been issued.*) If goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner and a negotiable bill is issued for them, they can not thereafter, while in the possession of the carrier, be attached by garnishment or otherwise, or be levied upon under an execution, unless the bill be first surrendered to the carrier or its negotiation enjoined. The carrier shall in no such case be compelled to deliver the actual possession of the goods, until the bill is surrendered to him or impounded by the court.

Aid to attach bill.

25. (*Creditor's remedies to reach negotiable bills.*) A creditor whose debtor is the owner of a negotiable bill shall be entitled to such aid from

courts of appropriate jurisdiction by injunction and otherwise in attaching such bill, or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

Charges stated when lien claimed.

26. (*Negotiable bill must state charges for which lien is claimed.*) If a negotiable bill is issued, the carrier shall have no lien on the goods therein mentioned, except for charges on those goods for freight, storage, demurrage and terminal charges, and expenses necessary for the preservation of the goods or incident to their transportation subsequent to the date of the bill, unless the bill expressly enumerates other charges for which a lien is claimed. In such case there shall also be a lien for the charges enumerated so far as they are allowed by law and the contract between the consignor and the carrier.

Effect of sale.

27. (*Effect of sale.*) After goods have been lawfully sold to satisfy a carrier's lien, or because they have not been claimed, or because they are perishable or hazardous the carrier shall not thereafter be liable for failure to deliver the goods to the consignee or owner of the goods, or to a holder of the bill given for the goods when they were shipped, even if such bill be negotiable.

PART III.

NEGOTIATION AND TRANSFER OF BILLS.

Negotiation of bills.

28. (*Negotiation of negotiable bills by delivery.*) A negotiable bill may be negotiated by delivery where, by the terms of the bill, the carrier undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the bill has indorsed it in blank.

Negotation by indorsement.

29. (*Negotiation of negotiable bills by indorsement.*) A negotiable bill may be negotiated by the endorsement of person to whose order the goods are deliverable by the tenor of the bill. Such in-

dorsement may be in blank or to a specified person. If indorsed to a specified person, it may be negotiated again by the indorsement of such person in blank or to another specified person. Subsequent negotiation may be made in like manner.

Transfer of bills.

30. (*Transfer of bills.*) A bill may be transferred by the holder by delivery, accompanied with an agreement, express or implied, to transfer the title to the bill or to the goods represented thereby.

A non-negotiable bill cannot be negotiated, and the indorsement of such a bill gives the transferee no additional right.

Who may negotiate bills.

31. (*Who may negotiate a bill.*) A negotiable bill may be negotiated by any person in possession of the same, however such possession may have been acquired, if, by the terms of the bill, the carrier undertakes to deliver the goods to the order of such person, or if at the time of negotiation the bill is in such form that it may be negotiated by delivery.

Rights by negotiation.

32. (*Rights of person to whom a bill has been negotiated.*) A person to whom a negotiable bill has been duly negotiated acquires thereby—

(a) Such title to the goods as the person negotiating the bill to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the consignee and consignor had or had power to convey to a purchaser in good faith for value, and

(b) The direct obligation of the carrier to hold possession of the goods for him according to the terms of a bill as fully as if the carrier had contracted directly with him.

Rights by transfer.

33. (*Rights of person to whom a bill has been transferred.*) A person to whom a bill has been transferred but not negotiated acquires thereby as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor. If the bill is non-negotiable, such person also acquires the right to notify the carrier of the transfer to him of such bill, and thereby to become

the direct obligee of whatever obligations the carrier owed to the transferor of the bill immediately before the notification.

Prior to the notification of the carrier by the transferor or transferee of a non-negotiable bill, the title of the transferee to the goods and the right to acquire the obligation of the carrier may be defeated by garnishment or by attachment or execution upon the goods by a creditor of the transferor, or by a notification to the carrier by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

A carrier has not received notification within the meaning of this section unless an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such notification, has been notified; and no notification shall be effective until the officer or agent to whom it is given has had time with the exercise of reasonable diligence to communicate with the agent or agents having actual possession or control of the goods.

Transfer without indorsement.

34. (*Transfer of negotiable bill without indorsement.*) Where a negotiable bill is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the bill, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made. This obligation may be specifically enforced.

Warranties.

35. (*Warranties on sale of bill.*) A person who negotiates or transfers for value a bill by indorsement or delivery, including one who assigns for value a claim secured by a bill, unless a contrary intention appears, warrants—

(a) That the bill is genuine.

(b) That he has a legal right to transfer it.

(c) That he has knowledge of no fact which would impair the validity or worth of the bill, and

(d) That he has a right to transfer the title to the goods, and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a bill the goods represented thereby.

In the case of an assignment of a claim secured by a bill, the liability of the assignor shall not exceed the amount of the claim.

Indorser not a guarantor.

36. (*Indorser not a guarantor.*) The indorsement of a bill shall not make the indorser liable for any failure on the part of the carrier or previous indorsers of the bill to fulfill their respective obligations.

Warranty not implied.

37. (*No warranty implied from accepting payment of a debt.*) A mortgagee or pledgee, or other holder of a bill for security who in good faith demands or receives payment of the debt for which such bill is security, whether from a party to a draft drawn for such debt or from any other person, shall not be deemed by so doing to represent or to warrant the genuineness of such bill or the quantity or quality of the goods therein described.

Negotiation not impaired by fraud, accident, etc.

38. (*When negotiation not impaired by fraud, accident, mistake, duress or conversion.*) The validity of the negotiation of a bill is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the bill was deprived of the possession of the same by fraud, accident, mistake, duress or conversion, if the person to whom the bill was negotiated, or a person to whom the bill was subsequently negotiated, gave value therefor, in good faith, without notice of the breach of duty, or fraud, accident, mistake, duress or conversion.

Effect of subsequent negotiatons.

39. (*Subsequent negotiation.*) Where a person having sold, mortgaged, or pledged goods which are in a carrier's possession and for which a negotiable bill has been issued, or having sold, mortgaged, or pledged the negotiable bill representing

such goods, continues in possession of the negotiable bill, the subsequent negotiation thereof by that person under any sale, pledge, or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, shall have the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

Rights of buyer and seller.

40. (*Form of the bill as indicating rights of buyer and seller.*) Where goods are shipped by the consignor in accordance with a contract or order for their purchase, the form in which the bill is taken by the consignor shall indicate the transfer or retention of the property or right to the possession of the goods as follows—

(a) Where by the bill the goods are deliverable to the buyer or to his agent, or to the order of the buyer or of his agent, the consignor thereby transfers the property in the goods to the buyer.

(b) Where by the bill the goods are deliverable to the seller or to his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of securing performance by the buyer of his obligations under the contract.

(c) Where by the bill the goods are deliverable to the order of the buyer or of his agent, but possession of the bill is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods, as against the buyer.

(d) Where the seller draws on the buyer for the price and transmits the draft and bill together to the buyer to secure acceptance or payment of the draft, the buyer is bound to return the bill if he does not honor the draft, and if he wrongfully retains the bill he acquires no added right thereby. If, however, the bill provides that the goods are deliverable to the buyer, or to the order of the buy-

er, or is indorsed in blank or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill or goods from the buyer, shall obtain the title to the goods, although the draft has not been honored, if such purchaser has received delivery of the bill indorsed by the consignee named therein, or of the goods, without notice of the facts making the transfer wrongful.

Drafts

41. (*Demand, presentation or sight draft must be paid, but draft on more than three days time merely accepted before buyer is entitled to the accompanying bill.*) Where the seller of goods draws on the buyer for the price of the goods and transmits the draft and a bill of lading for the goods either directly to the buyer or through a bank or other agency, unless a different intention on the part of the seller appears, the buyer and all other parties interested shall be justified in assuming—

(a) If the draft is by its terms or legal effect payable on demand or presentation or at sight, or not more than three days thereafter (whether such three days be termed days of grace or not), that the seller intended to require payment of the draft before the buyer should be entitled to receive or retain the bill.

(b) If the draft is by its terms payable on time, extending beyond three days after demand, presentation or sight (whether such three days be termed days of grace or not), that the seller intended to require acceptance, but not payment of the draft before the buyer should be entitled to receive or retain the bill.

The provisions of this section are applicable whether by the terms of the bill the goods are consigned to the seller, or to his order, or to the buyer, or to his order, or to a third person, or to his order.

Vendor's lien

42. (*Negotiation defeats vendor's lien.*) Where a negotiable bill has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the rights of any purchaser for value in good faith to whom such bill has been negotiated, wheth-

er such negotiation be prior or subsequent to the notification to the carrier who issued such bill of the seller's claim to a lien or right of stoppage in transitu. Nor shall the carrier be obliged to deliver or justified in delivering the goods to an unpaid seller unless such bill is first surrendered for cancellation.

Rights not limited.

43. (*When rights and remedies under mortgages and liens are not limited.*) Except as provided in section forty-two nothing in this act shall limit the rights and remedies of a mortgagee or lienholder whose mortgage or lien on goods would be valid, apart from this act, as against one who for value and in good faith purchased from the owner, immediately prior to the time of their delivery to the carrier, the goods which are subject to the mortgage or lien and obtained possession of them.

PART IV.

CRIMINAL OFFENSES.

Issuing bills falsely.

44. (*Issue of bill for goods not received.*) Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill knowing that all or any part of the goods for which such bill is issued have not been received by such carrier, or by an agent of such carrier or by a connecting carrier, or are not under the carrier's control at the time of issuing such bill, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Penalty.

False statement.

45. (*Issue of bill containing false statement.*) Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not

Penalty.

exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

Duplicates must be marked.

46. (*Issue of duplicate bills not so marked.*) Any officer, agent or servant of a carrier, who with intent to defraud issues or aids in issuing a duplicate or additional negotiable bill for goods in violation of the provisions of section seven, knowing that a former negotiable bill for the same goods or any part of them is outstanding and uncancelled, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine no exceeding five thousand dollars, or by both.

Penalty.

Shipping goods without title.

47. (*Negotiation of bill for mortgaged goods.*) Any person who ships goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable bill which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offence by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

Penalty.

Negotiation of goods not in possession.

48. (*Negotiation of bill when goods are not in carrier's possession.*) Any person who with intent to deceive negotiates or transfers for value a bill knowing that any or all of the goods, which by the terms of such bill appear to have been received for transportation by the carrier which issued the bill, are not in the possession or control of such carrier, or of a connecting carrier, without disclosing this fact, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Penalty.

Inducing issue of bill for goods not received.

49. (*Inducing carrier to issue bill when goods have not been received.*) Any person who with intent to defraud secures the issue by a carrier of a bill knowing that at the time of such issue any or all of the goods described in such bill as received

for transportation have not been received by such carrier, or an agent of such carrier or a connecting carrier, or are not under the carrier's control, by inducing an officer, agent, or servant of such carrier falsely to believe that such goods have been received by such carrier, or are under its control, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

Penalty.

Non-negotiable bill so marked.

50. (*Issue of non-negotiable bill not so marked.*) Any person who with intent to defraud issues or aids in issuing a non-negotiable bill without the words "not negotiable" placed plainly upon the face thereof, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years or by a fine not exceeding five thousand dollars, or by both.

Penalty.

PART V.

INTERPRETATION.

General rule applicable.

51. (*Rule for cases not provided for in this act.*) In any case not provided for in this act, the rules of law and equity including the law merchant, and in particular the rules relating to the law of principal and agent, executors, administrators, and trustees, and to the effect of fraud, misrepresentation, duress or coercion, accident, mistake, bankruptcy, or other invalidating cause, shall govern.

Interpretation

52. (*Interpretation shall give effect to purpose of uniformity.*) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States which enact it.

Definitions.

53. (*Definitions.*) (1) In this act, unless the context or subject matter otherwise requires—

"Action" includes counter claim, set-off and suit in equity.

"Bill" means bill of lading.

"Consignee" means the person named in the bill as the person to whom delivery of the goods is to be made.

"Consignor" means the person named in the bill as the person from whom the goods have been received for shipment.

"Goods" means merchandise or chattels in course of transportation, or which have been or are about to be transported.

"Holder" of a bill means a person who has both actual possesion of such bill and a right of property therein.

"Order" means an order by indorsement on the bill.

"Owner" does not include mortgagee or pledgee.

"Person" includes a corporation or partnership or two or more persons having a joint or common interest.

To "purchase" includes to take as mortgagee and to take as pledgee.

"Purchaser" includes mortgagee and pledgee.

"Value" is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a bill is taken either in satisfaction thereof or as security therefor.

(2) A thing is done "in good faith," within the meaning of this act, when it is in fact done honestly, whether it be done negligently or not.

Existing bills excepted.

54. (*Act does not apply to existing bills.*) The provisions of this act do not apply to bills made and delivered prior to the taking effect thereof.

Repealer.

55. (*Inconsistent legislation repealed.*) All acts or parts of acts inconsistent with this act are hereby repealed.

Name of act.

56. (*Name of act.*) This act may be cited as the Uniform Bills of Lading Act.

In effect.

57. (*Time when the act takes effect.*) This act shall take effect on the first day of July, one thousand nine hundred and thirteen.

Approved March 27, 1913.

CHAPTER 157.

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 nine.

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

Hunting in open season only.

1. It shall be unlawful for any person or persons to hunt with a hound or firearms, or to go into the woods or fields with a hound or firearms, except only during the open season now or hereafter provided for killing quail, rabbit, squirrel, English ring-neck pheasants, ruffed grouse, prairie chicken, wild turkey or Hungarian partrige; *provided, however,* that the Board of Fish and Game Commissioners is hereby authorized to issue, in its discretion, to all properly accredited persons, permits to hunt foxes with hound and firearms from the last day of the open season for killing the above-mentioned game until the thirty-first day of March.

Proviso.

Penalty.

2. Any person violating the provisions of this act shall be liable to a penalty of twenty dollars for each offense, to be sued for and recovered in the manner provided and by the person or persons authorized to sue for and recover penalties by the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

3. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 158.

An Act to repeal an act entitled "An act to authorize the Riparian Commissioners to grant lands of the State under water to municipalities for street and park purposes, and to impose terms upon such municipalities as conditions of such grant," approved March fifth, one thousand nine hundred and twelve.

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

Act repealed.

1. The act entitled "An act to authorize the Riparian Commissioners to grant lands of the State under water to municipalities for street and park purposes, and to impose terms upon such municipalities as conditions of such grant," approved March fifth, one thousand nine hundred and twelve, is hereby repealed.

2. This act shall take effect immediately.

Approved March 27, 1913.

CHAPTER 159.

A Supplement to an act entitled "An act to authorize cities and boroughs to provide, by ordinance, for the licensing, regulating, restraining and taxing of auctions and auctioneers," approved March first, one thousand eight hundred and eighty-two.

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

Sales by licensed auctioneers

1. That all public auction sales in cities of the first class shall be conducted by licensed auctioneers only.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 160.

An Act to amend an act entitled "An act to authorize incorporated towns to construct, operate and maintain a system of sewers, or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof," approved April third, one thousand nine hundred and two.

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

Sections 26 and 27 amended.

1. Sections twenty-six and twenty-seven, of the act to which this is an amendment, be and the same are hereby amended so as to read as follows:

Assessments a first lien.

26. All assessments made under the provisions of this act shall be and remain a first lien upon the lands and real estate affected thereby from the time of the confirmation of such report, notwithstanding any error or omission in stating the name or names of the owner or owners of such lands and real estate, and shall be immediately due and payable to the collector or receiver of taxes; it shall be the duty of the mayor and board of aldermen or other governing body of such incorporated town to furnish such officer with a certified copy of such assessment, which he shall enter in a book to be kept in his office for that purpose, and thereupon he shall give notice for four weeks in two newspapers circulated in said town, at least once in each week, that said assessment has been delivered to him, and requiring the payment of the sums as-

Notice that assessments are payable.

sessed within two years from and after the date of the confirmation of such report; and in case said assessment shall not be paid within sixty days after the same shall become a lien, the said assessment shall draw interest thereon from that time at the rate of six per centum per annum; *provided,* that when so authorized and directed by resolution of the town council, or other governing body of any such town, such assessments shall be payable in ten equal annual installments, which together with the interest on all unpaid installments, shall be due and payable on the first day of January in each year, the first annual installment to be paid on the first of January following the confirmation of said report, with the then accrued interest thereon computed from sixty days after the date when the same becomes a lien; and where any such assessment is to be paid in ten annual installments, then the notice hereinabove required to be given shall so state; *provided also,* that any such assessment may be paid at any earlier time if the property owner may so desire.

Proviso.

Proviso.

Sale of property for unpaid assessments.

27. If any assessment or assessments shall remain unpaid for two years after the confirmation of the report of said commissioners, the collector or receiver of taxes of such incorporated town shall immediately give notice by advertisement in two of the newspapers circulated in such incorporated town, that unless such assessment or assessments, with interest thereon as aforesaid, together with all costs and fees, shall be paid to him at his office before a certain day, to be named by such collector or receiver of taxes, which day shall not be more than three months from the date of such notice, he will, at the time and place therein specified, between the hours of one and five o'clock in the afternoon of said day, sell the land and real estate whereon such unpaid assessment or assessments shall have been imposed; this notice of sale shall be published at least four weeks successively, once a week, next preceding the day of sale, and shall contain a brief

Notice of sale.

abstract of such assessment or assessments, the name or names of the owner or owners, when known, a brief description of the land and real estate, and the amount of unpaid assessments due thereon; *provided, however,* that where the town council or other governing body of such town, pursuant to the provisions of section twenty-six of this act, has by resolution directed and authorized the payment of any such assessment or assessments in ten annual installments, then, in case any such assessment shall remain unpaid for a period of sixty days after the same shall become due and payable, the said collector or receiver of taxes of such incorporated town shall immediately give the notice of sale above provided for in this section, and in the manner hereinabove provided.

Proviso.

2. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 161.

An Act to amend an act entitled "An act for the protection of lobsters," approved April seventh, nineteen hundred and eleven.

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

Section 1 amended.

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

Minimum size to be taken.

1. From and after the passage of this act it shall be unlawful for any person or persons to take from the salt waters of this State by means of boats, pots or otherwise, or to have in their possession, or to buy or sell, or to offer to buy or sell, any lobster the length of which from the end of the bone of the nose to the centre of the rear end of the body shell, shall measure less than four and one-eighth inches,

or any spawning lobster, under a penalty of twenty dollars for each lobster so taken, offered for sale or had in possession, said penalty to be paid to the Board of Fish and Game Commissioners for the use of the commission. Penalty.

2. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 162.

AN ACT for the protection of lobsters in the salt waters of Cape May county.

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

1. It shall be unlawful, for five years after the passage of this act, for any person or persons to take, by means of boats, pots or otherwise, any lobster from any of the salt waters of Cape May county, including the waters of the Atlantic ocean within three nautical miles of the coast line, under a penalty of twenty dollars for each lobster so taken. Closed season for lobsters.

2. The procedure for enforcing the provisions of this shall be the same in all respects as provided for in an act of the Legislature entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto. Procedure to enforce law.

3. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 163.

AN ACT to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendment was approved April sixteenth, one thousand nine hundred and eight.

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

Section 21 amended.

1. Section twenty-one (21) of the act to which this act is an amendment be and the same is hereby amended to read as follows:

Display marker.

21. The owner of every automobile which shall be driven on the public highways of this State shall display on the front and rear of such vehicle, not less than fifteen inches or more than forty-eight inches from the ground, an identification mark to be furnished by the motor vehicle department; *provided,* that the said motor vehicle department shall not be required to furnish such identification mark to any motor vehicle already registered prior to June first; and such motor vehicle so registered shall be permitted to display any identification mark lawful at the time of the passage of this act prior to said June first. Said identification mark shall contain the number of the registration certificate of said vehicle in characters not less than four inches in height, with a stroke of not less than one-half an inch, and shall be of such design as

Proviso.

What marker to show.

shall be prescribed by the commissioner of motor vehicles. On the tag shall be, in small characters, the manufacturer's number of the car, certified by the commissioner of motor vehicles. The identification marks of vehicles shall be either of metal or leather, sufficiently enduring to be plainly legible under all atmospheric conditions for at least one year. Motor cycles shall also display such identification marks on the front and side thereof as the commissioner of motor vehicles shall prescribe. All identification marks shall be kept clear and distinct and free from grease, dust or other blurring matter, so as to be plainly visible at all times during daylight and at night.

Markers on motorcycles.

Markers kept clean.

2. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 164.

A SUPPLEMENT to 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.

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

1. The common council shall appoint three discreet persons, residents and freeholders of the city, commissioners of assessment; said commissioners shall make all assessments in favor of the owners of lands or real estate damaged or taken, or upon the owner of any lands or real estate for benefits conferred by any general or local improvement hereafter made, or which has been made, and the damages or benefits not heretofore assessed.

Commissioners of assessment; duties.

Total expenses ascertained.

2. As soon as may be, after the completion of any such improvement provided by the act to which this is a supplement, the expense thereof, including fees for legal services, advertising and surveying when required, and a moderate allowance to be determined by the common council for the costs of making the assessment, shall be ascertained and determined by the common council and be entered by resolution upon the record of their proceedings, and the amount so assessed and determined shall thereafter be treated as and held to be a true and actual expense of making such improvement.

Commission notified.

3. The common council shall thereupon cause a copy of such resolution, ascertaining the costs or expense of such improvement, attested by the city clerk, to be delivered by him to the commissioners of assessment, or any of them; the said commissioners shall thereupon appoint a time and place of meeting for hearing the parties interested in such improvement. The city clerk shall forthwith give public notice of the time and place of such meeting by posting such notices at five public places in the said city two weeks prior thereto, and by publishing the same in a newspaper circulating in said city once in each week for two weeks prior to such meeting; and the nature of such improvement shall be briefly stated in said notice, so as to sufficiently identify the same.

Notice of hearing given.

Action to acquire lands.

4. When any improvement ordinance shall require the taking of any lands or real estate, the ordinance, when introduced, shall be accompanied by a map prepared by the city engineer under the direction of the city solicitor, showing the location and character of the improvement, the lands and real estate, if any, to be taken therefor, and the name or names as far as can be ascertained of the owners of such lands and real estate; upon the passage of such ordinance, said map together with a copy of the ordinance duly attested by the city clerk shall, without delay, be handed by him to the

commissioners of assessment, or any one of them, and the said commissioners shall thereupon appoint a time and place of meeting for hearing all parties interested in such improvements, and notice thereof shall be given in the manner hereinbefore specified.

Hearing.

5. The commissioners of assessment shall attend at the time and place provided; two of them shall be a quorum for the transaction of business and sufficient to make any assessment, but one member shall have power to adjourn any meeting; the commissioners may adjourn from time to time; they shall give all parties interested in, or affected by, the improvement, ample opportunity to be heard upon the subject of the assessment. They shall view the premises and have power to examine witnesses under oath or affirmation, administered by any one of them; they shall thereupon make a just and equitable assessment of the damages sustained by or benefits conferred upon any lands or real estate by reason of such improvement as the case may be, having due regard to the rights and interest of all persons concerned, as well as to the value of the lands and real estate taken, damaged or benefited; and if in the judgment of the said commissioners the damages be in the aggregate in excess of the benefits, the amount of such excess shall be assessed upon the city at large and raised by a tax assessed and collected at the same time and in the same manner as other taxes are assessed and collected and may be in five or less annual installments as the common council may provide. And it shall be lawful in assessing the benefits conferred by the construction of any sewer or sewers, to assess such benefits not only upon the lands or real estate fronting or abutting upon the line thereof, but also upon all the lands and real estate situate in and throughout the entire sewer area or district in said city from which house or other sewage directly or indirectly finds or will find an outlet into such sewer so constructed. The assess-

Damages or benefits assessed.

If damages exceed benefits, excess assessed upon city.

Extent of assessable area.

When assessment collectible at once.

ment upon all lands or real estate which at the time of making such assessment front or abut on or are situate in the vicinity of the line of such sewer or sewers or any other sewer already constructed and connected directly or indirectly therewith, whereby a direct tapping or drainage benefit is or may be secured, shall be collectible at once,

When deferred.

and that where such benefit is prospective only, depending upon the construction of any other and connecting sewer not yet built, such assessments shall be collectible and bear interest only from the time when the assessment to be made for benefits conferred upon such land and real estate by the construction of such other or connecting sewer along the line of which such lands and real estate front or abut or are in the vicinity thereof, shall be confirmed and collectible, or when a direct tapping benefit to such lands is secured. In ascertaining and estimating the proportion of the cost of

Proportionate cost ascertained.

such sewer or public improvement which may be assessed upon lands and real estate not fronting or abutting upon or in the vicinity thereof, or having no immediate tapping or drainage benefit, the benefit conferred upon the lands and real estate so fronting or abutting thereon or in the vicinity thereof and having an immediate tapping or drainage benefit, shall be ascertained, and after deducting the amount thereof from the entire cost, the balance, or so much thereof as may be applied, shall be assessed upon such other lands and real estate not having an immediate tapping or drainage benefit, but which shall be situate in such sewerage area or district, to the extent that the same is benefited by such sewer or public improvement and to be benefited thereby when the sewer in front of or in the vicinity of such property shall be constructed and connected therewith and in which the said property may secure a direct or tapping benefit. The commissioners shall certify their assessment to the common council by a report in writing signed by at least two of their number; said report

Report to council.

shall be accompanied by a map showing the lands and real estate taken or benefited by such improvement, and for which they have assessed damages or benefits; such report may be considered by the common council at any meeting of which at least two weeks' previous notice shall have been given by the city clerk, posted in five public places in the city, and published in a newspaper circulating therein once in each week for two weeks prior to such meeting; and also served personally upon the owner or owners named in said report, if resident in the city, or if non-resident, by mailing a copy of said notice to said owner or owners directed to them at their post-office address, if the same can be ascertained. The affidavit of the city clerk shall be conclusive as to the manner of such service, and shall be attached to the report as a part thereof; the notice shall briefly state the object of meeting with reference to said assessment. At that or any subsequent meeting the common council, after considering the said report and map, shall and may adopt and confirm the same with or without alterations as to them may seem proper, and when the report shall be so adopted and confirmed with or without alterations, the same shall be final and conclusive upon all parties, except as to such assessments from which appeals may be taken as hereinafter provided.

Report considered after due notice.

Adopted report final.

6. Any person or persons feeling aggrieved by any such assessment of damages, for any lands and real estate taken for, or damaged by, any such improvement, may appeal to the circuit court, of said county, at any time within sixty days after the final adoption of said report by the common council, and the said court may order a trial by jury to assess such damages anew, and the said trial shall be conducted as in other cases of trial by jury; *provided*, that the completion of said improvement shall not be delayed thereby, and that the common council may proceed forthwith as though said appeal had not been taken.

Appeal may be taken.

Trial by jury.

Proviso.

Tender payment.

7. Before any such improvement can be carried into effect, it shall be the duty of the city treasurer, under the direction of the common council, to pay or tender unto the owner or owners of lands and real estate taken therefor or damaged thereby, the amount or amounts of damages so assessed to him, her or them, respectively; *provided,* that if any such owner does not reside in said city, or is in any way legally incapacitated to receive such damages, or will not accept such damages or sign a proper receipt therefor when tendered, then the said treasurer shall make an affidavit of the fact, filing the same with the clerk, and the common council shall, after inquiry, direct the amount or amounts of said damages to be placed in a place of safe deposit for the use of the person or persons to whom the same may be due, and the same shall be paid to him, her or them, when duly authorized to receive the same, without interest; *provided,* no tender shall be necessary in any case where the benefits which may be assessed against the owner or owners are equal to or exceed the amount of damages assessed in his, her or their favor, and a tender of the difference between the assessments and the amount of benefits assessed shall have the same binding force and effect as a tender of the whole amount of the assessments for damages.

Proviso.

Proviso.

Payment in installments.

8. The common council may, by resolution, provide that the owner of any lands or real estate upon which any assessment for any improvement shall have been made, confirmed and is collectible, under the provisions of this act, may pay such assessments in such equal yearly installments not exceeding five, with legal interest thereon, and at such time in each year as the said common council shall determine; *provided,* that any party assessed shall have the privilege of paying the whole of any assessment or any balance of installments with accrued interest thereon at one time; in case any such installments shall remain unpaid for thirty days from and after the time the same shall have

Proviso.

become due and payable, the whole assessment, or the balance due thereon, shall become and be immediately due and payable, and shall draw interest at the rate of one per centum per month, and shall be collected in the same manner as is provided by the act to which this is a supplement for other past due assessments. Whenever any owner shall be given the privilege of paying any assessment in installments, such assessment shall remain a lien upon the lands described therein until the same, with all installments and accrued interest thereon, shall be paid and satisfied, and no proceedings to collect or enforce the same need be taken until default shall be made in the payment of any installment as above provided.

Assessment a lien.

9. In all cases where any assessments for benefits incident to any improvement shall be reversed or set aside, and such improvement shall have been actually made, it shall be the duty of the commissioners of assessment to make a new assessment for damages or benefits, as the case may be, upon the property damaged or benefited by said improvement in the manner and by the proceedings herein provided for the improvements; all assessments and such new assessments shall become a lien upon the property so assessed in the same manner and with like effect, and shall be enforceable in the same way as in case of an original assessment for like improvements.

In case of reversal new assessment.

10. The common council shall have power to issue improvement certificates payable at five years or less, with interest, for the cost of any improvement provided for in the act to which this is a supplement, when certified as correct by the engineer in charge of the work, in anticipation of the collection of the assessments made and taxes levied for said improvement.

Improvement certificates.

11. The provisions of this act shall not apply and become operative in any such city or municipality unless and until the common council of any such city or municipality shall, by a majority vote

Act must be adopted by ordinance.

of all the members of its common council, pass an ordinance adopting the provisions of this act.

12. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 165.

AN ACT to amend an act concerning District Courts, approved April seventh, nineteen hundred and ten.

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

Section 1 amended.

1. Amend section one of the act to which this is an amendment so that it shall read as follows:

List of persons eligible for jury duty.

1. It shall be the duty of the district court judge on the first Monday of February in each year to make a list of not less than three hundred of those persons residing within the jurisdiction of his court who are eligible to jury duty, which list except as hereinafter provided shall be the jury list for one year. After the making of such list he shall sign the same and file it with the clerk of his said court, and all jurors to be summoned in such court shall be taken from such list. When a jury of twelve men shall be demanded, fifteen jurors shall be summoned, and when a jury of six shall be demanded eight jurors shall be summoned in the manner provided by law.

Talesmen.

2. Upon the trial of the cause, if, after exhausting the challenges allowed by law, a sufficient number of jurymen do not remain in the jury box, the vacancies may be filled by talesmen called for that purpose.

Alter list.

3. The district court judge shall have the power to excuse any juror on said list, and add to such list from time to time.

Rules.

4. The judge shall have power to make all necessary rules to carry out the purpose of this act.

List prepared at once.

5. Immediately after this act takes effect it shall be the duty of the judge of the district court to make a list of the jurors eligible for jury duty as herein provided to serve between the time of the adoption of this act and the making up of a new list as herein provided.

6. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 166.

A SUPPLEMENT to an act entitled "An act relative to guardians and the estate of minors" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

Use of property of minor for support, education, etc., under certain conditions.

1. When it shall be made to appear to the Orphans' Court upon the application, in the form of a verified petition, of the parent or parents or other person or persons having the custody of any minor child, that said parents or person having the custody of said minor are unable to afford said minor proper education, maintenance and support, and that said minor has or is entitled to a certain fund, estate or other property in the hands of a guardian or other person, and that the best interests of said minor will be substantially promoted by the use of the income of said estate or property, or a portion thereof for the education, support and maintenance of said minor, it shall be lawful for the Orphans' Court to inquire into the circumstances of the case or refer the same to a master in chancery for investigation and report; and if upon such inquiry or report it be found that the parents of said minor or the persons having the custody thereof are unable to provide said minor with proper education, support and maintenance, and that said order would be for the best interests

Order of court.

of said minor, the said court may make an order authorizing and directing the guardian or other person in control of the estate or funds of said minor to pay the income of said estate or fund, or so much thereof as the court shall direct, to the parents or person having the custody of said minor, to be used for the education, maintenance and support of said minor.

2. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 167.

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, and for the assessment of the benefits of such improvement upon the land and real estate benefited thereby," approved June thirteenth, one thousand eight hundred and ninety-eight, which title was amended to read as above set forth by an act approved April sixteenth, one thousand nine hundred and nine.

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

Designation of material for street improvements.

1. It shall be lawful for any board or body, acting under the authority of the act to which this act is supplemental, to designate two or more kinds of permanent and durable material with which the street or highway may be improved in the ordinance providing for the improvement, and to advertise for bids for the work of making the improvement with each of the materials so designated, as well as to select and determine, by resolution or otherwise, which of the materials so designated shall be used in making the improvement

when the bids are in, and to contract for the work accordingly.

Certain ordinances validated.

2. All ordinances heretofore passed in any city under the authority of the act to which this act is supplemental, in which two or more kinds of permanent and durable paving material have been designated, are hereby validated and confirmed.

3. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 168.

A SUPPLEMENT to an act entitled "An act respecting conveyances (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Marginal entry of cancellation, etc. of mortgages on record.

1. When any mortgage, which now is or hereafter may be, recorded in the office of the clerk of the Court of Common Pleas in any of the counties of this State, or in the office of the register of deeds and mortgages in any of the counties of this State where such office now exists or may hereafter be established, shall be cancelled, released, discharged, assigned or postponed, and the said cancellation, release, discharge, assignment or postponement shall be recorded in the office of the said clerk of the Court of Common Pleas, or register of deeds and mortgages, as the case may be, it shall be the duty of the said clerk of the Court of Common Pleas or register of deeds and mortgages, as the case may be, to enter in the margin opposite the original entry of said mortgage a note or memorandum setting forth such cancellation, release, discharge, assignment or postponement, together with a reference to the book and page

wherein such cancellation, release, discharge, assignment or postponement is recorded.

2. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 169.

AN ACT to amend an act entitled "An act concerning district courts" (Revision of 1898), approved April fourteenth, one thousand eight hundred and ninety-eight.

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

Section 146 amended.

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

Trial to proceed if defendant is absent without sufficient reason.

146. If the defendant does not appear at the time and place expressed in the summons, or recognizance, or the adjourned day, and no sufficient reason shall be assigned to the judge why the defendant does not appear, and if, where the process is a summons, it shall further appear by the return endorsed thereon that the summons was duly served, the court may proceed to hear and determine the cause in the absence of such defendant at that time or on any subsequent day on application made, without further notice to the defendant, and render judgment therein.

Proviso.

It is further provided, that the clerk of the court may in any such case, where the action is on contract, on application made any time after such return day or adjourned day, enter in the minutes of the court an appropriate rule for judgment by default which shall have the same force and effect as if judgment were rendered by the court; *provided, however,* that in case of application to the clerk, as aforesaid, the same shall be accompanied

Proviso.

by affidavit or affidavits establishing plaintiff's claim or demand in the same manner and to the same extent as required by sections one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-three and one hundred and fifty-four of this act.

2. This act shall take effect immediately.

Approved March 31, 1913.

CHAPTER 170.

AN ACT to enable cities of the second class in this State to provide for a city plan commission and to provide funds for the same.

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

City plan commission appointed by mayor.

1. It shall be lawful for the mayor of any city of the second class of this State which has not adopted the provisions of chapter 221 of the laws of 1911 and for the board of commissioners of any city of the second class in this State which has adopted the provisions of that act to appoint a commission, consisting of not more than nine citizens of such city, to prepare a plan for the systematic and future development of said city, which said commission shall be known as the "City Plan Commission," and the members of which shall hold office for one year, and shall serve without pay. Such commission shall have the power and authority to employ experts and to pay for their services and for such other expenses as may be necessary to an amount not exceeding the appropriation as hereinafter provided.

Term. Experts.

Amount which may be used annually.

2. It shall be lawful for the body having charge of the finances of any city of the second class as aforesaid, to appropriate any amount not exceeding five thousand dollars the first year and not

exceeding five thousand dollars any subsequent year that such commission may remain in existence, and to raise the money so authorized the first year by appropriating for that purpose any moneys in the treasury of such city not otherwise appropriated, and any subsequent year by providing in the annual tax budget for the sum appropriated.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 171.

AN ACT to amend the act entitled "An act concerning trust companies (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

Section 22 amended. Proceedings when trust companies are found unsound, etc.

1. Section twenty-two of the act to which this act is an amendment is hereby amended to read as follows:

22. Whenever it shall appear to the Commissioner of Banking and Insurance that any trust company has violated its charter or any law of this State, or is conducting its business in an unsafe or unauthorized manner, or if any such trust company shall refuse to submit its books, papers and concerns to the inspection of said commissioner or any examiner appointed by him, or if any officer or director thereof shall refuse to be examined upon oath touching the concerns of any such trust company, or if any such trust company shall suspend payment of its obligations, or if from any examination or report provided for by this act the commissioner shall have reason to conclude that such trust company is in an unsound or unsafe condition to

transact business, or that it is unsafe or inexpedient for it to continue business, or if any such trust company shall neglect or refuse to observe an order of the commissioner issued pursuant to section twenty-three of this act, the commissioner may forthwith take possession of the property and business of such trust company, and retain such possession until such trust company shall resume business, or its affairs be finally liquidated as herein provided. On taking possession of the property and business of any such trust company the commissioner shall forthwith give notice of such fact to any and all banks, trust companies, associations and individuals, holding or in possession of any assets of such trust company. No bank, trust company, association or individual knowing of such taking possession by the commissioner, or notified as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the trust company of whose property and business the commissioner shall have taken possession as aforesaid. Such trust company may, with the consent of the commissioner, resume business upon such conditions as may be approved by him. Upon taking possession of the property and business of such trust company the commissioner is authorized to collect moneys due to such trust company, and do such other acts as are necessary to conserve its assets and business, and shall proceed to liquidate the affairs thereof as hereinafter provided. The commissioner shall collect all debts due and claims belonging to it, and upon the order of the Court of Chancery may sell or compound all bad or doubtful debts, and on like order may sell all the real and personal property of such trust company on such terms as the court shall direct. For the purpose of executing and performing any of the powers and duties hereby conferred upon him, the commissioner may, in the name of such trust company, prosecute and defend any and all

Commissioner of banking to take charge.

Notice to those concerned.

Resumption of business.

Collection of claims.

Legal proceedings.

suits and other legal proceedings and may, in the name of such trust company, execute, acknowledge and deliver any and all deeds, assignments, releases and other instruments necessary and proper to effectuate any sale of real or personal property or sale or compromise or compound authorized by the Court of Chancery as herein provided; and any deed or other instrument, executed pursuant to the authority hereby given, shall be valid and effectual for all purposes, as though the same had been executed by the officers of such trust company by authority of its board of directors. The commissioner may, under his hand and official seal, appoint one or more special assistant deputy commissioners of banking and insurance, as agent or agents, to assist him in the duty of liquidation and distribution, and the commissioner may from time to time authorize a special assistant deputy commissioner to perform such duties connected with such liquidation and distribution as the commissioner may deem proper. The commissioner may employ such counsel and procure such expert assistance and advice as may be necessary in the liquidation and distribution of the assets of such trust company, and may retain such of the officers or employees thereof as he may deem necessary. The commissioner shall require from a special assistant deputy commissioner and from such assistants such security for the faithful discharge of their duties as he may deem proper. The commissioner shall cause notice to be given by advertisement, in such newspapers as he may direct, weekly for three consecutive months, calling on all persons who may have claims against such trust company to present the same to the commissioner, and make legal proof thereof at a place and within a time, not earlier than the last day of publication, to be therein specified. The commissioner shall mail a similar notice to all persons whose names appear as creditors upon the books of such trust

Validity.

Assistants to commissioner.

Counsel.

Assistants bonded.

Notice to present claims.

company. If the commissioner doubts the justice and validity of any claim, he may reject the same and serve notice of such rejection upon the claimant either by mail or personally. An affidavit of the service of such notice, which shall be prima facie evidence thereof, shall be filed with the commissioner. An action upon a claim so rejected must be brought within six months after such service. Claims presented after the expiration of the time fixed in the notice to creditors shall be entitled to share in the distribution only to the extent of the assets in the hands of the commissioner equitably applicable thereto. The compensation of the special assistant deputy commissioners, counsel and other employees and assistants, and all expenses of supervision and liquidation, shall be fixed by the commissioner subject to the approval of the Court of Chancery on notice to such trust company, and shall upon the certificate of the commissioner be paid out of the funds of such trust company in the hands of the commissioner. The moneys collected by the commissioner shall be from time to time deposited in one or more State banks of deposit, savings banks or trust companies, and, in case of the suspension or insolvency of the depositary, such deposits shall be preferred before all other deposits. At any time after the expiration of the date fixed for the presentation of claims the Court of Chancery may by order authorize the commissioner to declare out of the funds remaining in his hands after the payment of expenses one or more dividends, and after the expiration of one year from the first publication of notice to creditors he may declare a final dividend, such dividends to be paid to such persons, and in such amounts, and upon such notice as may be directed by the Court of Chancery. Objections to any claim not rejected by the commissioner may be made by any party interested by filing a copy of such objections with the commissioner, who shall present the same to the Court of Chancery at the time of the

Right to reject claim.

Compensation of assistants.

Moneys collected deposited.

Dividends paid from funds remaining on hand.

next application to declare a dividend, and said court shall thereupon dispose of said objections or may order a reference for that purpose, and should the objections to any claim be sustained by the court or by the referee, such claim shall not be allowed by the commissioner until the claimant shall have established his claim by the judgment of a court of competent jurisdiction. The court may make proper provision for unproved or unclaimed deposits.

Disposition of goods and securities on deposit.

Should any trust company, at the time the commissioner takes possession of its property and business, have in its possession, as bailee for safe-keeping and storage, any jewelry, plate, money, specie, bullion, stocks, bonds, securities, valuable papers or other valuable personal property, or should it have rented any vaults, safes or safe deposit boxes or any portion thereof for the storage of property of any kind, the commissioner may at any time thereafter cause to be mailed to the person claiming to be or appearing on its books to be the owner of such property, or the person in whose name the safe, vault or box stands, a notice in writing in a securely closed, post-paid, registered letter, directed to such person at his post-office address as recorded upon its books, notifying such person to remove within a period fixed by said notice and not less than sixty days from the date thereof, all such personal property, and upon the date fixed by said notice, the contract, if any, between such person and the trust company for the storage of said property or for the use of the said safe, vault or box shall cease and determine, and the amount of the unearned rent or charges, if any, paid by such person shall become a debt of the trust company to said person.

Disposition of property not removed.

If the property be not removed within the time fixed by the notice, the commissioner may make such disposition of said property as the Court of Chancery, upon application thereto, shall direct. And the commissioner may cause any safe, vault or box to be opened in his presence or in the pres-

ence of one of the special assistant deputy commissioners of banking and insurance, and of a notary public not an officer or in the employ of the trust company, or of the commissioner, and the contents thereof, if any, to be sealed up by such notary public in a package upon which such notary public shall distinctly mark the name and address of the person in whose name such safe, vault or box stands upon the books of the trust company, and shall attach thereto a list and description of the property therein; and the package so sealed and addressed, together with the list and description, may be kept by the commissioner in one of the general safes or boxes of the trust company until delivered to the person whose name it bears, or until otherwise disposed of as directed by the court. Whenever any such trust company, of whose property and business the commissioner has taken possession as aforesaid, deems itself aggrieved thereby, it may, at any time within ten days after such taking possession, apply to the Court of Chancery to enjoin further proceedings; and said court, after citing the commissioner to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts may, upon the merits, dismiss such application or enjoin the commissioner from further proceedings, and direct him to surrender such business and property to such trust company. Whenever the commissioner shall have paid to each and every depositor and creditor of such trust company (not including stockholders), whose claim or claims as such creditor or depositor shall have been duly proved and allowed, the full amount of such claims, and shall have made proper provision for unclaimed and unpaid deposits or dividends, and shall have paid all the expenses of the liquidation, the commissioner shall call a meeting of the stockholders of such trust company by giving notice thereof for thirty days in one or more newspapers published

Company may ask enjoinment.

Meeting of stockholders called.

Determination of meeting.

in the county where the principal office of such trust company was located. At such meeting the stockholders shall determine whether the commissioner shall be continued as liquidator and shall wind up the affairs of such trust company, or whether an agent or agents shall be elected for that purpose, and in so determining the said stockholders shall vote by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and the majority of the stock shall be necessary to a determination. In case it is determined to continue the liquidation under the commissioner, he shall complete the liquidation of the affairs of such trust company, and after paying the expenses thereof, shall distribute the proceeds among the stockholders in proportion to the several holdings of stock in such manner and upon such notice as may be directed by the Court of Chancery. In case it is determined to appoint an agent or agents to liquidate, the stockholders shall thereupon select such agent or agents by ballot, a majority of the stock present and voting, in person or by proxy, being necessary to a choice. Such agent or agents shall execute and file with the commissioner a bond to the State of New Jersey in such amount, with such sureties and in such form as shall be approved by the commissioner, conditioned for the faithful performance of all the duties of his or their trust, and thereupon the commissioner shall transfer and deliver to such agent or agents all the undivided and uncollected or other assets of such trust company then remaining in his hands; and upon such transfer and delivery, the said commissioner shall be discharged from any and all further liability to such trust company and its creditors. Such agent or agents shall convert the assets coming into his or their possession into cash, and shall account for and make distribution of the property of said corporation as is herein provided in the case of distribution by the com-

Completion of liquidation.

Agent put in charge.

Duties of agent.

missioner, except that the expenses thereof shall be subject to the direction and control of a court of record of competent jurisdiction. In case of death, removal or refusal to act of any such agent or agents, the stockholders, on the same notice, to be given by the commissioner upon proof of such death, removal or refusal to act being filed with him, and by the same vote hereinbefore provided, may elect a successor, who shall have the same powers and be subject to the same liabilities and duties as the agent originally elected. Dividends and unclaimed deposits remaining unpaid in the hands of the commissioner for six months after the order for final distribution shall be by him deposited in one or more State banks of deposit, savings banks or trust companies, to the credit of the commissioner in his name of office, in trust for the several depositors with and creditors of the liquidated trust company from which they were received entitled thereto. The commissioner shall report to the Legislature annually in his report the names of trust companies so taken possession of and liquidated and the sums of unclaimed and unpaid deposits or dividends with respect to each of them respectively. The commissioner may pay over the moneys so held by him to the persons respectively entitled thereto upon being furnished satisfactory evidence of their right to the same. In cases of doubt or conflicting claims he may require an order of the Court of Chancery authorizing and directing the payment thereof. He may apply the interest earned by the moneys so held by him towards defraying the expenses in the payment and distribution of such unclaimed deposits or dividends to the depositors and creditors entitled to receive the same, and he shall include in his annual report to the Legislature, a statement of the amount of interest earned by such unclaimed dividends.

Disposition of unclaimed fund.

Report to legislature.

Doubtful claims.

Section 23 amended.

2. Section twenty-three of the act to which this act is an amendment is hereby amended to read as follows:

Notification to cease illegal or unsafe practices.

23. If it shall appear to the Commissioner of Banking and Insurance that any trust company has violated its charter or any law of this State binding upon it, or is conducting business in an unsafe or unauthorized manner, he shall by an order under his hand and official seal, addressed to such trust company, direct a discontinuance of such illegal or unsafe practices, and conformity with the requirements of its charter and safety and security in its transactions.

Section 24 amended.

3. Section twenty-four of the act to which this act is an amendment is hereby amended to read as follows:

Insolvency.

24. Whenever any trust company shall become insolvent, or shall suspend its ordinary business for want of funds to carry on the same, the Attorney-General, or any creditor or stockholder, may, by petition or bill of complaint setting forth the facts and circumstances of the case, apply to the Court of Chancery for a writ of injunction and the appointment of a receiver or receivers or trustees, and the court being satisfied by affidavit or otherwise of the sufficiency of said application, and of the truth of the allegations contained in the petition or bill, and upon such notice, if any, as the court by order may direct, may proceed in a summary way to hear the affidavits, proofs and allegations which may be offered on behalf of the parties, and if upon such inquiry it shall appear to the court that the trust company has become insolvent and is not about to resume its business in a short time thereafer with safety to the public and advantage to the stockholders, it may issue an injunction to restrain such trust company and its officers and agents from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, as-

Application for injunction and receiver.

signing or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court shall otherwise order.

4. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately. Repealer.

Approved April 1, 1913.

CHAPTER 172.

AN ACT to amend the act entitled "An act concerning banks and banking (Revision of 1899)," approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

1. Section twenty-four of the act to which this act is an amendment is hereby amended to read as follows: Section 24 amended.

24. Whenever it shall appear to the Commissioner of Banking and Insurance that any bank has violated its charter or any law of this State, or is conducting its business in an unsafe or unauthorized manner, or if any such bank shall refuse to submit its books, papers and concerns to the inspection of said commissioner or any examiner appointed by him, or if any officer or director thereof shall refuse to be examined upon oath touching the concerns of any such bank, or if any such bank shall suspend payment of its obligations, or if from any examination or report provided for by this act the commissioner shall have reason to conclude that such bank is in an unsound or unsafe condition to transact business, or that it is unsafe or inexpedient for it to continue business, or if any such bank shall neglect or refuse to ob- If bank found unsound; proceedings by commissioner of banking.

serve an order of the commissioner issued pursuant to section twenty-five of this act, the commissioner may forthwith take possession of the property and business of such bank, and retain such possession until such bank shall resume business, or its affairs be finally liquidated as herein provided. On taking possession of the property and business of any such bank the commissioner shall forthwith give notice of such fact to any and all banks, trust companies, associations and individuals, holding or in possession of any assets of such bank. No bank, trust company, association or individual knowing of such taking possession by the commissioner, or notified as aforesaid, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the bank of whose property and business the commissioner shall have taken possession as aforesaid. Such bank may, with the consent of the commissioner, resume business upon such conditions as may be approved by him. Upon taking possession of the property and business of such bank the commissioner is authorized to collect moneys due to such bank, and do such other acts as are necessary to conserve its assets and business, and shall proceed to liquidate the affairs thereof as herein after provided. The commissioner shall collect all debts due and claims belonging to it, and upon the order of the Court of Chancery may sell or compound all bad or doubtful debts, and on like order may sell all the real and personal property of such bank on such terms as the court shall direct. For the purpose of executing and performing any of the powers and duties hereby conferred upon him, the commissioner may, in the name of such bank, prosecute and defend any and all suits and other legal proceedings and may, in the name of such bank, execute, acknowledge and deliver any and all deeds,

Notice to those concerned.

Terms of resumption.

Collection of claims.

Legal proceedings.

assignments, releases and other instruments necessary and proper to effectuate any sale of real or personal property or sale or compromise or compound authorized by the Court of Chancery as herein provided; and any deed or other instrument, executed pursuant to the authority hereby given, shall be valid and effectual for all purposes, as though the same had been executed by the officers of such bank by authority of its board of directors. The commissioner may, under his hand and official seal, appoint one or more special assistant deputy commissioners of banking and insurance, as agent or agents to assist him in the duty of liquidation and distribution, and the commissioner may from time to time authorize a special assistant deputy commissioner to perform such duties connected with such liquidation and distribution as the commissioner may deem proper. The commissioner may employ such counsel and procure such expert assistance and advice as may be necessary in the liquidation and distribution of the assets of such bank, and may retain such of the officers or employees thereof as he may deem necessary. The commissioner shall require from a special assistant deputy commissioner and from such assistants such security for the faithful discharge of their duties as he may deem proper. The commissioner shall cause notice to be given by advertisement, in such newspapers as he may direct, weekly for three consecutive months, calling on all persons who may have claims against such bank to present the same to the commissioner, and make legal proof thereof at a place and within a time, not earlier than the last day of publication, to be therein specified. The commissioner shall mail a similar notice to all persons whose names appear as creditors upon the books of such bank. If the commissioner doubts the justice and validity of any claim, he may reject the same and serve notice of such rejection upon the claimant

Validity.

Assistants to commissioners.

Counsel.

Assistants bonded.

Notice to present claims.

Right to reject claim.

either by mail or personally. An affidavit of the service of such notice, which shall be prima facie evidence thereof, shall be filed with the commissioner. An action upon a claim so rejected must be brought within six months after such service. Claims presented after the expiration of the time fixed in the notice to creditors shall be entitled to share in the distribution only to the extent of the assets in the hands of the commissioner equitably applicable thereto. The compensation of the special assistant deputy commissioners, counsel and other employees and assistants, and all expenses of supervision and liquidation, shall be fixed by the commissioner subject to the approval of the Court of Chancery on notice to such bank, and shall upon the certificate of the commissioner be paid out of the funds of such bank in the hands of the commissioner. The moneys collected by the commissioner shall be from time to time deposited in one or more State banks of deposit, savings banks or trust companies, and, in case of the suspension or insolvency of the depositary, such deposits shall be preferred before all other deposits. At any time after the expiration of the date fixed for the presentation of claims the Court of Chancery may by order authorize the commissioner to declare out of the funds remaining in his hands after the payment of expenses one or more dividends, and after the expiration of one year from the first publication of notice to creditors he may declare a final dividend, such dividends to be paid to such persons, and in such amounts, and upon such notice as may be directed by the Court of Chancery. Objections to any claim not rejected by the commissioner may be made by any party interested by filing a copy of such objections with the commissioner, who shall present the same to the Court of Chancery at the time of the next application to declare a dividend, and said court shall thereupon dispose of said objections or may

Compensation of assistants.

Moneys collected deposited.

Dividends paid from funds remaining on hand.

Objection to claims.

order a reference for that purpose and should the objections to any claim be sustained by the court or by the referee, such claim shall not be allowed by the commissioner until the claimant shall have established his claim by the judgment of a court of competent jurisdiction. The court may make proper provision for unproved or unclaimed deposits. Should any bank, at the time the commissioner takes possession of its property and business, have in its possession, as bailee for safe-keeping and storage, any jewelry, plate, money, specie, bullion, stocks, bonds, securities, valuable papers or other valuable personal property or should it have rented any vaults, safes or safe deposit boxes or any portion thereof for the storage of property of any kind, the commissioner may at any time thereafter cause to be mailed to the person claiming to be or appearing upon its books to be the owner of such property, or the person in whose name the safe, vault or box stands, a notice in writing in a securely closed, post-paid registered letter, directed to such person at his post-office address as recorded upon its books, notifying such person to remove, within a period fixed by said notice and not less than sixty days from the date thereof, all such personal property, and upon the date fixed by said notice, the contract, if any, between such person and the bank for the storage of said property or for the use of the said safe, vault or box shall cease and determine, and the amount of the unearned rent or charges, if any, paid by such persons shall become a debt of the bank to said person. If the property be not removed within the time fixed by the notice, the commissioner may make such disposition of said property as the Court of Chancery, upon application thereto, shall direct. And the commissioner may cause any safe, vault or box to be opened in his presence or in the presence of one of the special assistant deputy com-

Disposition good and securities on deposit.

Disposition of property not removed.

missioners of banking and insurance, and of a notary public not an officer or in the employ of the bank, or of the commissioner, and the contents thereof, if any, to be sealed up by such notary public in a package upon which such notary public shall distinctly mark the name and address of the person in whose name such safe, vault or box stands upon the books of the bank, and shall attach thereto a list and description of the property therein; and the package so sealed and addressed, together with the list and description, may be kept by the commissioner in one of the general safes or boxes of the bank until delivered to the person whose name it bears, or until otherwise disposed of as directed by the court. Whenever any such bank, of whose property and business the commissioner has taken possession as aforesaid, deems itself aggrieved thereby, it may, at any time within ten days after such taking possession, apply to the Court of Chancery to enjoin further proceedings; and said court, after citing the commissioner to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts may, upon the merits, dismiss such application or enjoin the commissioner from further proceedings, and direct him to surrender such business and property to such bank. Whenever the commissioner shall have paid to each and every depositor and creditor of such bank (not including stockholders), whose claim or claims as such creditor or depositor shall have been duly proved and allowed, the full amount of such claims, and shall have made proper provision for unclaimed and unpaid deposits or dividends, and shall have paid all the expenses of the liquidation, the commissioner shall call a meeting of the stockholders of such bank by giving notice thereof for thirty days in one or more newspapers published in the county where the princi-

Bank may seek enjoinment.

Meeting of stockholders called.

pal office of such bank was located. At such meeting the stockholders shall determine whether the commissioner shall be continued as liquidator and shall wind up the affairs of such bank, or whether an agent or agents shall be elected for that purpose, and in so determining the said stockholders shall vote by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and the majority of the stock shall be necessary to a determination. In case it is determined to continue the liquidation under the commissioner, he shall complete the liquidation of the affairs of such bank, and after paying the expenses thereof, shall distribute the proceeds among the stockholders in proportion to the several holdings of stock in such manner and upon such notice as may be directed by the Court of Chancery. In case it is determined to appoint an agent or agents to liquidate, the stockholders shall thereupon select such agent or agents by ballot, a majority of the stock present and voting, in person or by proxy, being necessary to a choice. Such agent or agents shall execute and file with the commissioner a bond to the State of New Jersey in such amount, with such sureties and in such form as shall be approved by the commissioner, conditioned for the faithful performance of all the duties of his or their trust, and thereupon the commissioner shall transfer and deliver to such agent or agents all the undivided and uncollected or other assets of such bank then remaining in his hands; and upon such transfer and delivery, the said commissioner shall be discharged from any and all further liability to such bank and its creditors. Such agent or agents shall convert the assets coming into his or their possession into cash, and shall account for and make distribution of the property of said corporation as is herein provided in the case of distribution by the commissioner, except that the expenses thereof shall be subject to the direction

Determination of meeting.

Completion of liquidation.

Agent put in charge.

Duties of agent.

and control of a court of record of competent jurisdiction. In case of the death, removal or refusal to act of any such agent or agents, the stockholders, on the same notice, to be given by the commissioner upon proof of such death, removal or refusal to act being filed with him, and by the same vote hereinbefore provided, may elect a successor, who shall have the same powers and be subject to the same liabilities and duties as the agent originally elected. Dividends and unclaimed deposits remaining unpaid in the hands of the commissioner for six months after the order for final distribution shall be by him deposited in one or more State banks of deposit, savings banks or trust companies, to the credit of the commissioner in his name of office, in trust for the several depositors with and creditors of the liquidated bank from which they were received entitled thereto. The commissioner shall report to the Legislature annually in his report the names of banks so taken possession of and liquidated and the sums of unclaimed and unpaid deposits or dividends with respect to each of them respectively. The commissioner may pay over the moneys so held by him to the persons respectively entitled thereto upon being furnished satisfactory evidence of their right to the same. In cases of doubt or conflicting claims he may require an order of the Court of Chancery authorizing and directing the payment thereof. He may apply the interest earned by the moneys so held by him towards defraying the expenses in the payment and distribution of such unclaimed deposits or dividends to the depositors and creditors entitled to receive the same, and he shall include, in his annual report to the Legislature, a statement of the amount of interest earned by such unclaimed dividends.

Disposition of unclaimed deposits.

Report to legislature.

Doubtful claims.

Section 25 amended.

2. Section twenty-five of the act to which this act is an amendment is hereby amended to read as follows:

Notification to cease illegal or unsafe practices.

25. If it shall appear to the Commissioner of Banking and Insurance that any bank has violated its charter or any law of this State binding upon it, or is conducting business in an unsafe or unauthorized manner, he shall by an order under his hand and official seal, addressed to such bank, direct a discontinuance of such illegal or unsafe practices, and conformity with the requirements of its charter and safety and security in its transactions.

Section 29 amended.

3. Section twenty-nine of the act to which this act is an amendment is hereby amended to read as follows:

Insolvency.

29. Whenever any bank shall become insolvent, or shall suspend its ordinary business for want of funds to carry on the same, the Attorney-General or any creditor or stockholder may, by petition or bill of complaint setting forth the facts and circumstances of the case, apply to the Court of Chancery for a writ of injunction and the appointment of a receiver or receivers or trustees, and the court being satisfied by affidavit or otherwise of the sufficiency of said application, and of the truth of the allegations contained in the petition or bill, and upon such notice, if any, as the court by order may direct, may proceed in a summary way to hear the affidavits, proofs and allegations which may be offered on behalf of the parties, and if upon such inquiry it shall appear to the court that the bank has become insolvent and is not about to resume its business in a short time thereafter, with safety to the public and advantage to the stockholders, it may issue an injunction to restrain the bank and its officers and agents from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court shall otherwise order.

Application for injunction and receiver.

Repealer.

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

Approved April 1, 1913.

CHAPTER 173.

A SUPPLEMENT to an act entitled "A further supplement to an act entitled 'An act constituting a State Highway Commission, and defining its powers and duties,' approved March thirtieth, one thousand nine hundred and nine," approved April sixth, one thousand nine hundred and eleven.

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

Extension of Delaware river drive.

1. The State Highway Commission shall designate a route for a continuous highway, to connect with and extend the highway known as the Delaware River Drive, as shown by the map or survey made and now on file in the office of the State Commissioner of Public Roads, commencing at the southerly end of said Delaware River Drive, at the city of Trenton, in the county of Mercer, and continuing thence to the city of Cape May, in the county of Cape May, following, so far as practicable, the available and convenient improved roads now constructed, which route shall be as near the Delaware river and Delaware bay as practicable, and shall, under the supervision of the State Commissioner of Public Roads, have a survey made thereof, from which survey a map shall be prepared, showing the proposed route, grades and estimated cost of construction of the foregoing extension of said Delaware River Drive, which map, approved by the said commission, shall

Route.

Survey, map, etc.

be filed in the office of the State Commissioner of Public Roads.

Expenditure for preliminaries.

2. The State Commissioner of Public Roads is hereby authorized to expend for the purposes of this act, with the approval of the State Highway Commission, the sum of fifteen thousand (15,000) dollars, or so much thereof as may be necessary, from moneys coming into the hands of the said State Commissioner of Public Roads under the provisions of an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, and the amendments thereof and supplements thereto.

Repealer.

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

Approved April 1, 1913.

CHAPTER 174.

AN ACT to amend an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

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

Section 11 amended.

I. Paragraph eleven of the act referred to in the title of this act is hereby amended to read as follows:

Schedule of payments.

II. Following is the schedule of compensation:

Temporary disability.

(a) For injury producing temporary disability, fifty per centum of the wages received at the time of injury, subject to a maximum compensation of ten dollars per week and a minimum of five dollars per week; *provided*, that if at the time of injury the employee receives wages of less than five dollars per week, then he shall receive the full amount of such wages per week. This compensation shall be paid during the period of such disability, not, however, beyond three hundred weeks.

Proviso.

Complete disability.

(b) For disability total in character and permanent in quality, fifty per centum of the wages received at the time of injury, subject to a maximum compensation of ten dollars per week and a minimum of five dollars per week; *provided*, that if at the time of injury the employee receives wages of less than five dollars per week, then he shall receive the full amount of wages per week. This compensation shall be paid during the period

Proviso.

of such disability, not, however, beyond four hundred weeks.

Partial disability.

(c) For disability partial in character but permanent in quality, the compensation shall be based upon the extent of such disability. In cases included by the following schedule the compensation shall be that named in the schedule, to wit:

Thumb.

For the loss of a thumb, fifty per centum of daily wages during sixty weeks.

First finger.

For the loss of a first finger, commonly called index finger, fifty per centum of daily wages during thirty-five weeks.

Second finger.

For the loss of a second finger, fifty per centum of daily wages during thirty weeks.

Third finger.

For the loss of a third finger, fifty per centum of daily wages during twenty weeks.

Fourth finger.

For the loss of a fourth finger, commonly called little finger, fifty per centum of daily wages during fifteen weeks.

Phalange.

The loss of the first phalange of the thumb, or of any finger, shall be considered to be equal to the loss of one-half of such thumb, or finger, and compensation shall be for one-half of the periods of time above specified, and compensation for the loss of one-half of the first phalange shall be for one-fourth of the periods of time above specified.

More than one phalange.

The loss of more than one phalange shall be considered as the loss of the entire finger or thumb;

Proviso.

providing, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

Great toe.

For the loss of a great toe, fifty per centum of daily wages during thirty weeks.

Other toes.

For the loss of one of the toes other than a great toe, fifty per centum of daily wages during ten weeks.

Phalange of toe.

For the loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be one-

half of the amount above specified.

More than one phalange. The loss of more than one phalange shall be considered as the loss of the entire toe.

Hand. For the loss of a hand, fifty per centum of daily wages during one hundred and fifty weeks.

Arm. For the loss of an arm, fifty per centum of daily wages during two hundred weeks.

Foot. For the loss of a foot, fifty per centum of daily wages during one hundred and twenty-five weeks.

Leg. For the loss of a leg, fifty per centum of daily wages during one hundred and seventy-five weeks.

Eye. For the loss of an eye, fifty per centum of daily wages during one hundred weeks.

Both hands, etc. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or of any two thereof, shall constitute total and permament disability, to be compensated according to the provisions of clause (b).

In other cases. In all other cases in this class, or where the usefulness of a member or any physical function, is permanently impaired, the compensation shall bear such relation to the amounts stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule. Should the employer and employee be unable to agree upon the amount of compensation to be paid in cases not covered by the schedule, the amount of compensation shall be settled according to the provisions of paragraph twenty hereof.

Maximum and minimum amounts. The amounts specified in this clause are all subject to the same limitations as to maximum and minimum as are stated in clause (a).

In case of death during period of payments. In case of the death of a person from any cause other than the accident, during the period of payments for permanent injury, the remaining payments shall be paid to his or her dependents, according to the provisions of paragraph twelve of this act, or, if no dependents, the remaining amount due but not exceeding one hundred dollars, shall be paid in a lump sum to the proper person for

funeral expenses.

Section 12 amended.

2. Paragraph twelve of the said act is hereby amended to read as follows:

Basis of payments in case of death.

12. In case of death compensation shall be computed, but not distributed, on the following basis:

Dependents.

(1) Actual dependents.

For one dependent, thirty-five per centum of wages.

For two dependents, forty per centum of wages.

For three dependents, forty-five per centum of wages.

For four dependents, fifty per centum of wages.

For five dependents, fifty-five per centum of wages.

For six or more dependents sixty per centum of wages.

"Dependent" defined.

The term "dependents" shall apply to and include any or all of the following who are dependent upon the deceased at the time of accident or death, namely: husband, wife, parents, stepparents, grandparents, children, stepchildren, grandchildren, posthumous children, illegitimate children, brothers, sisters, half brothers, half sisters. Legally adopted children shall, in every particular, be considered as natural children; *provided, however*, that dependency shall be presumed as to a widow who was living with her husband at the time of his decease, and children under the age of eighteen years; stepchildren and illegitimate children shall be presumed to be dependent when they were a part of decedent's household at the time of his death. Every provision of this act applying to one class shall be equally applicable to the other. Should any dependent of a deceased employee die during the period covered by such weekly payments, or should the widow of a deceased employee remarry during such period, the right of such dependent or of such widow to compensation under this section shall cease.

Proviso.

Order of distribution.

Compensation shall be computed upon the foregoing basis. Distribution shall be made among dependents, if more than one, according to the order of the judge of the court of common pleas, who shall, when applied to for that purpose, determine, upon the facts being presented to him, the proportion to be paid to or on behalf of each dependent according to the relative dependency. Payment on behalf of infants shall be made to the surviving parent, if any.

Non-dependents.

(2) No dependents.

Sickness and burial.

Expenses of last sickness and burial, the cost of burial, however, not to exceed one hundred dollars.

Orphans and minors.

In computing compensation to orphans or other children, only those under eighteen years of age shall be included, and only during the period in which they are under that age, at which time payment on account of such child shall cease; *provided, however,* that payments to such physically or mentally deficient children as are for such reason dependent shall continue during the full term of compensation payment.

Proviso.

Weekly compensation.

The compensation in case of death shall be subject to a maximum compensation of ten dollars per week and a minimum of five dollars per week; *provided,* that if at the time of injury the employee receives wages of less than five dollars per week, then the compensation shall be the full amount of such wages per week. This compensation shall be paid during three hundred weeks.

Proviso.

Duration.

Aliens excepted.

Compensation under this schedule shall not apply to alien dependents not residents of the United States.

Section 14 amended.

3. Paragraph fourteen of the said act is hereby amended to read as follows:

Medical and hospital services first two weeks.

14. During the first two weeks after the injury the employer shall furnish reasonable medical and hospital services and medicines, as and when needed, not exceed fifty dollars in value, unless the

employee refuses to allow them to be furnished by the employer.

Additional clause.

4. Insert clause to be numbered 14 (a), to read as follows:

Compensation consecutive, not concurrent.

14. (a) Compensation for all classes of injuries shall run consecutively and not concurrently, as follows: First two weeks, medical and hospital services and medicines, as provided in paragraph fourteen. After the first two weeks, compensation during temporary disability. Following both, either or none of the above, compensation consecutively for each permanent injury. Following any or all or none of the above, if death results from the accident, expenses of last sickness and burial. Following which compensation to dependents, if any. In no case shall the total number of weekly payments be more than four hundred.

Maximum number of payments.

Section 20 amended.

5. Paragraph twenty of the said act is hereby amended to read as follows:

Procedure in dispute.

20. Procedure in case of dispute shall be as follows:

Petition to court.

Either party may present a petition to said judge setting forth the names and residences of the parties and the facts relating to employment at the time of injury, the injury in its extent and character, the amount of wages received at the time of injury, the knowledge of the employer or notice of the occurrence of said injury, and such other facts as may be necessary and proper for the information of the said judge, and shall state the matter or matters in dispute and the contention of the petitioner with reference thereto. This petition shall be verified by the oath or affirmation of the petitioner. Proceedings on behalf of an infant shall be instituted and executed by a guardian, and payment, if any, shall be made to such guardian.

Notice of hearing.

Upon the presentation of such petition the same shall be filed with the clerk of the Court of Com-

mon Pleas, and the judge shall by order fix a time and place for the hearing thereof, not less than three weeks after the date of the filing of said petition. A copy of said petition and order shall be served as summons in a civil action and may be served within six days thereafter upon the adverse party. Within seven days after the service of such notice the adverse party shall file an answer to said petition, unless the court for good cause shall grant further time, which shall admit or deny the substantial averments of the petition, and shall state the contention of the defendant with reference to the matters in dispute as disclosed by the petition. The answer shall be verified in like manner as required for a petition. Within thirty days after the final hearing the judge of the Court of Common Pleas shall file his determination.

Answer filed.

Hearing.

At the time fixed for hearing or any adjournment thereof the said judge shall hear such witnesses as may be presented by each party, and in a summary manner decide the merits of the controversy. This determination shall be filed in writing with the clerk of the Common Pleas Court, and judgment shall be entered thereon in the same manner as in causes tried in the Court of Common Pleas, and shall contain a statement of facts as determined by said judge. The employer may once every month file receipt of payment verified by affidavit that the receipts are accurate and true, with the clerk of the court, which shall be entered in satisfaction of the judgment to the extent of such payments. Subsequent proceedings thereon shall only be for the recovery of moneys thereby determined to be due, provided that nothing herein contained shall be construed as limiting the jurisdiction of the Supreme Court to review questions of law by certiorari. Costs may be awarded by said judge in his discretion, and when so awarded the same costs shall be allowed, taxed and collected as are allowed, taxed

Determination.

Subsequent proceedings.

As to costs.

and collected for like services in the Common Pleas Court.

Effect of agreement.

No agreement between the parties for a lesser sum than that which may be determined by the judge of the Court of Common Pleas to be due, shall operate as a bar to the determination of a controversy upon its merits, or to the award of a larger sum, if it shall be determined by the said judge that the amount agreed upon is less than the injured employee or his dependents are properly entitled to receive.

Section 21 amended.

6. Paragraph twenty-one of this act is hereby amended to read as follows:

Amount may be commuted.

The compensation herein provided may be commuted by said Court of Common Pleas, at its present value when discounted at five per centum simple interest upon application of either party, with due notice to the other, if it appear that such commutation will be for the best interest of the employee or the dependents of the deceased employee, or that it will avoid undue expense or undue hardship to either party, or that such employee or dependent has removed or is about to remove from the United States, or that the employer has sold or otherwise disposed of the greater part of his business or assets.

Intenton of act.

In determining whether the commutation asked for will be for the best interest of the employee or the dependents of the deceased employee, or that it will avoid undue expense or undue hardship to either party, the judge of the Court of Common Pleas will constantly bear in mind that it is the intention of this act that the compensation payments are in lieu of wages, and are to be received by the injured employee or his dependents in the same manner in which wages are ordinarily paid. Therefore, commutation is a departure from the normal method of payment and is to be allowed only when it clearly appears that some unusual circumstances warrant such a departure. Com-

Object of commutation.

mutation shall not be allowed for the purpose of enabling the injured employee, or the dependents of a deceased employee, to satisfy a debt, or to make payment to physicians, lawyers, or any other persons.

Court to fix counsel fees.

When any proceedings have been taken under the provisions of paragraph twenty or paragraph twenty-one of this act, the judge of the Court of Common Pleas shall, as a part of his determination and order, either for payment or for commutation of payment, settle and determine the amount of compensation to be paid by the injured employee or his dependents, on behalf of whom such proceedings are instituted, to his legal adviser or advisers, and it shall be unlawful for any lawyer, or other person acting in that behalf, to ask for, contract for or receive any larger sum than the amount so fixed; and in the order determining weekly payments where no commutation is made, the judge shall also determine the amount to be paid per week from the compensation payment on account of the legal fee thus awarded, and it shall be unlawful for the legal adviser, or other person acting in that behalf, to ask for, contract for or receive a larger sum per week than the allowance thus determined. Violation of the restrictions contained in this clause shall constitute contempt of court and shall be punished accordingly.

Agreement or award may be modified.

An agreement or award of compensation may be modified at any time by a subsequent agreement, or at any time after one year from the time when the same became operative, it may be reviewed upon the application of either party on the ground that the incapacity of the injured employee has subsequently increased or diminished. In such case the provisions of paragraph seventeen with reference to medical examination shall apply.

Additional paragraph.

7. Insert a new paragraph to be numbered 21 (a), to read as follows:

Whole amount may be paid in trust.

21. (a) At any time after the entry of the award, a sum equal to all future installments of compensation may (where death or the nature of the injury renders the amount of future payments certain) by leave of court, be paid by the employer to any savings bank, trust company or life insurance company in good standing and authorized to do business in this State and having an office in the county in which the award was entered, and such sum, together with all interest thereon, shall thereafter be held in trust for the employee or the dependents of the employee, who shall have no further recourse against the employer. The payment of such sum by the employer, evidenced by the receipt of the trustee noted upon the docket of the clerk of the court, shall operate as a satisfaction of said award as to the employer. Payments from said fund shall be made by the trustee in the same amounts and at the same times as are herein required of the employer until said fund and interest shall be exhausted. In the appointment of the trustee, preference shall be given, in the discretion of the court, to the choice of the employee or the dependents of the deceased employee. The expense of administration of such trust shall be fixed by the court and paid by the employer.

Trustee.

Section 23 amended.

8. Paragraph twenty-three of this act is hereby amended to read as follows:

Willful negligence.

23. For the purposes of this act, willful negligence shall consist of (1) deliberate act or deliberate failure to act; or (2) such conduct as evidences reckless indifference to safety; or (3) intoxication, operating as the proximate cause of injury.

Use of certain words.

Wherever in this act the singular is used the plural shall be included; where the masculine gender is used, the feminine and neuter shall be included.

Synonyms.

Employer is declared to be synonymous with

master and includes natural persons, partnerships and corporations; employee is synonymous with servant and includes all natural persons who perform service for another for financial consideration, exclusive of casual employments.

As to amputation.

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand, and amputation between the knee and the ankle shall be considered as the equivalent of the loss of a foot.

As to agreements, etc.

No agreement, composition or release of damages made before the happening of any accident, except the agreement defined in section two of this act, shall be valid or shall bar a claim for damages for the injury resulting therefrom, and any such agreement, other than that defined in section two herein, is declared to be against the public policy of this State. The receipt of benefits from any association, society or fund to which the employee shall have been a contributor shall not bar the recovery of damages by action at law or the recovery of compensation under section two hereof.

Liability in case of third party.

Where a third person or corporation is liable to the employee or his dependents for an injury or death, the existence of a right of compensation from the employer under this statute shall not operate as a bar to the action of the employee or his dependents, nor be regarded as establishing a measure of damage therein. However, in event that the employee or his dependents shall recover from the said third person or corporation, a sum equivalent to or greater than the total compensation payments for which the employer is liable under this statute, the employer shall be released thereby from the obligation of compensation. If, however, the sum so recovered from the third person or corporation is less than the total of compensation payments, the employer shall be liable only for the difference. The obligation of the em-

If recovery exceeds or is less than compensation.

ployer under this statute to make compensation shall continue until the payment, if any, by such third person or corporation is made. Such employer shall file with the third person or corporation so liable, at any time prior to payment, a statement of the compensation agreement or award between himself and his employee, or the dependents of the employee, and the employer shall thereafter be entitled to receive from such third person or corporation, upon the payment of any amount in release or in judgment by the third person or corporation on account of his or its liability to the injured employee or his dependents, a sum equivalent to the amount of compensation payments which the employer has theretofore paid to the injured employee or his dependents, which payments shall be deducted by the third person or corporation from the sum paid in release or judgment to the injured employee or his dependents.

"Wages" defined.

Wherever in section two of this act the term "wages" is used, it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident, and shall not include gratuities received from the employer or others, nor shall it include board, lodging or similar advantages received from the employer, unless the money value of such advantages shall have been fixed by the parties at the time of hiring. Where prior to the accident the rate of wages is fixed by the output of the employee, his weekly wages shall be taken to be six times his average daily earnings for a working day of ordinary length, excluding overtime. This rate of weekly wages shall be calculated by dividing the total value of the employee's output during the actual number of full working days during the preceding six months, by the number of days the workman was actually employed. All parts of this calculation

Wages fixed by output.

shall refer to employment by the same employer.

Claims barred after one year.

In case of personal injuries or death all claims for compensation on account thereof shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this act, or unless within one year after the accident one of the parties shall have filed a petition for adjudication of compensation as provided herein.

Repealer.

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

Approved April 1, 1913.

CHAPTER 175.

AN ACT providing for the preparation and use of maps for purposes of taxation in all taxing districts.

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

Accurate municipal map for taxing purposes.

1. Each city, borough, village and town shall provide for the use of the assessor or other taxing officials an accurate map of its territory, prepared for purposes of taxation, showing, among other things, the location and width of each street, road, or avenue, and of each individual lot of land or premises, and cause each parcel or lot of land to be numbered or otherwise designated thereon, and it shall be a sufficient description of property for the purposes of taxation, to refer to the said map by lot and block number. Tax maps now in use or in course of preparation shall be inspected by the Board of Equalization of Taxes and if in the judgment of said Board of Equalization any such map is or can be made adequate for purposes of taxation it shall continue to be used and be made adequate if necessary as directed by said board.

Present maps examined as to adequacy.

New map prepared.

The council or governing board of any city, borough, village or town not having a tax map, or having a map which is, in the judgment of the Board of Equalization of Taxes, inadequate, shall cause an adequate tax map to be made. Such map shall be completed within two years and the work of preparing it shall be commenced within six months after the passage of this act. If the work is not commenced within this time, or is not continued so as to insure the completion of the map within two years, the Board of Equalization of Taxes may, upon notice to the governing body, cause such a map to be prepared or completed, and the expense thereof when certified by said board shall be a charge against the taxing district and be added to the tax levy of the succeeding year.

When state board may order map made.

Township maps.

2. Where any township now has a surveyed tax map for use of its assessor, the Board of Equalization of Taxes shall cause such map to be inspected, and if, in the judgment of said board, such map is adequate for purposes of taxation it shall continue to be used, or shall be made adequate if necessary. If said map is not adequate or made so within six months the board shall proceed to prepare an outline map as provided in section three of this act.

Preparation of township map.

3. The Board of Equalization of Taxes may direct the preparation of a tax map substantially in the following manner for any township not having a surveyed tax map: The board shall cause to be made from the maps issued by the State Geological Survey, outline maps for the township, showing thereon the highways and streams on such scale as the board shall determine. Copies of such maps shall be transmitted to the county board of taxation and by that board to the assessor or other official charged with the duty of assessing property in said township. Such assessor shall indicate on such map, as nearly as may be, from his knowledge and from other information or inspection, the

Local data supplied.

boundaries and area of each individual lot or parcel of land and designate each lot or parcel by a lot number or by such other identification number, letter or designation as may be prescribed by the Board of Equalization of Taxes. The compensation to be paid for such work shall be determined by the county board of taxation but shall not exceed one hundred dollars without the approval of the Board of Equalization of Taxes. If unable to arrange with the assessor or other taxing official of said township to undertake the preparation of such a map, the county board of taxation shall cause such a map to be prepared by any competent person from records or other information without an actual survey. The cost of preparing such map when certified by the Board of Equalization of Taxes shall be a charge against the township and shall be included in the next tax levy. Said map shall be opened to public inspection at the county court house or some convenient place in the taxing district or both, and opportunity given to taxpayers of the district to inspect the areas and dimensions of the respective parcels of property and to protest against errors. The county board of taxation after hearing complaints shall cause said map to be corrected in accordance with the facts. The Board of Equalization of Taxes may thereafter, if satisfied that such map is substantially correct, issue its certificate to that effect, and thereupon such map shall be used by the assessor or other taxing official of the township in the assessment of property in the township for purposes of taxation. Each lot or parcel of property shall be described on the tax list and duplicate by such lot and block or other identification number, letter or designation, as shall be given it on the tax map, and such description, with the approximate area, and name of owner or reputed owner, if known, or if unknown, so stated shall be a sufficient description for pur-

Cost allowed.

Open to inspection.

Map corrected.

Description of each lot given.

poses of taxation. Such maps shall be corrected annually by the county board of taxation.

Whole state mapped within five years.

The preparation of such tax maps shall be commenced first in such townships as the Board of Equalization of Taxes shall determine, and be continued so that all districts in the State shall be supplied with maps within five years from the passage of this act.

Notice of intention to prepare map.

4. Before ordering the preparation of a tax map for any township as provided in section three of this act, the Board of Equalization of Taxes shall give notice to the governing body of the township, and if within thirty days the governing body shall declare its intention to ask the voters to approve the preparation of a surveyed map, the Board of Equalization of Taxes shall defer work on the outline map. The governing body of the township shall then submit the question whether a map shall be prepared by survey, for the entire township or for a specified part or parts thereof, and an appropriation sufficient therefor, to the qualified voters of the township at the next general election. If a majority of the voters then approve the preparation of said map, work shall be commenced within six months and maps shall be completed within two years, and if not so commenced or completed may be prepared by the Board of Equalization in the manner prescribed in section one of this act.

Referendum.

When state board may prepare map.

If the governing body of any township fails to submit the question to the voters, or if the voters do not approve the preparation of a surveyed map, and appropriation therefor, the Board of Equalization shall thereupon proceed to prepare a map in the form prescribed in section two of this act.

Surveyed map.

5. The Board of Equalization of Taxes may direct the preparation of surveyed maps for such portions of townships as in its judgment cannot be mapped with sufficient accuracy for purposes of taxation without a survey, and in such case all the

provisions of section one of this act shall apply, and it shall be the duty of the governing body of the township to cause such maps to be prepared.

All maps in control of state board.

6. The Board of Equalization of Taxes shall have full control over the preparation, maintenance and revision of all tax maps however prepared, and may prescribe such rules as will insure the periodical revision and provide for the safekeeping of original maps either in custody of the taxing district or by the county tax board as in any case may best serve the public convenience and insure the accuracy and safety of the maps, and the board may direct the furnishing of duplicates by blue prints or otherwise at the charge of the taxing district to assessors and taxing officials.

Repealer.

7. All acts and parts of acts inconsistent herewith be and the same are hereby repealed and this act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 176.

AN ACT to amend an act entitled "An act for the protection of certain kinds of birds, game and fish, and to regulate their method of capture and provide open and close seasons for such capture and possession (Revision of 1903)," approved April fourteenth, nineteen hundred and three.

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

Section 31 amended.

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

Certain sized bass, trout, pickerel protected.

31. It shall be unlawful to kill, sell, expose for sale or have in possession any black bass, Oswego bass, or white bass measuring less than nine inches in length, or any strawberry or calico bass, or crappie measuring less than six inches in length, or any pike-perch measuring less than twelve inches in length, or any trout measuring less than six inches in length, or any pike or pickerel measuring less than twelve inches in length, except for the purpose of stocking the waters of this State therewith, and then only at the direction of the Board of Fish and Game Commissioners, or upon license first obtained from such board, under a penalty of twenty dollars for each fish so killed, sold, exposed for sale or had in possession; *provided, however*, that the esox fasciatus (commonly known as Long Island pickerel, varied and grass pike) is not included among the fish protected by this section.

Penalty.

Proviso.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 177.

AN ACT to amend an act entitled "An act creating the Employers' Liability Commission and prescribing its powers and duties, and requiring reports to be made by the employers of labor upon the operations of the employers' liability law for the information of said commission," approved April twenty-seventh, nineteen hundred and eleven.

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

Section 1 amended.

1. Section one of the act to which this is an amendment is hereby amended so as to read as follows:

Commission appointed by governor.

1. The Governor is hereby authorized to appoint six citizens of this State, at least two of whom shall be representatives of organized labor, as an Employers' Liability Commission, who shall hold their offices for the term of two years and until their successors are appointed and qualified. They

No compensation; expenses met.

shall receive no compensation for their services, but their actual traveling expenses incurred upon the business of the commission shall be paid by the State Treasurer, upon warrants approved by

Officers.

the president of the said commission. The commission shall have power to choose one of their number as president and to call upon the Department

Assistance.

of Labor for such clerical assistance as it may require in the performance of its duties, which department shall perform all clerical and statistical work heretofore performed by the com-

Expenses.

mission. The expenses of the commission shall be paid from appropriations made for that purpose in any annual or supplemental appropriation

Duties.

bill. It shall be the duty of the commission to

observe in detail, so far as possible, the operations throughout the State of the recent act of the Legislature commonly known as "The Employers' Liability Act," entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, one thousand nine hundred and eleven.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 178.

AN ACT to regulate the sale of agricultural lime.

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

Definition.

1. The term "agricultural lime" shall be held to include all of the various forms of lime used for agricultural purposes.

Conditions of sale.

2. No agricultural lime shall be sold or offered for sale in this State without a plainly printed statement printed or attached to each package, or if it is sold or offered for sale in bulk the statement to accompany the shipment, giving the following information:

Information supplied.

(a) The number of pounds of agricultural lime contained in each package. If the shipment is in bulk, the number of pounds in the shipment.

(b) The name of the particular form of the lime.

(c) The name and principal address of the manufacturer or other person responsible for putting the material on the market in this State.

(d) The minimum and maximum percentage of total lime.

The minimum and maximum percentage of total magnesia.

The minimum percentage of lime and magnesia combined as carbonates.

The minimum percentage of lime sulphate in gypsum or land plaster.

Statement furnished state chemist.

3. All manufacturers or other persons before selling or offering for sale in this State any agricultural lime, shall annually file, on or before January first of each year, with the chemist of the New Jersey Agricultural Experiment Station, herein termed the State Chemist, a certified statement on blanks furnished by the State Chemist, giving with the exception of the weight of the packages or shipment, the information required in section two of this act. Upon receipt of this application the State Chemist shall issue a certificate of registration for the fiscal year ending December thirty-first. No agent or dealer shall be required to file a statement of any brand or form of lime for which a certified statement has been filed by the manufacturer or person responsible for the material.

Certificate of registration.

Duties of state chemist.

4. The State Chemist, or his deputy, is hereby authorized to enter upon any premises where agricultural lime is sold or offered for sale to ascertain if the provisions of this act are complied with and to take samples for analysis. The said State Chemist shall cause to be published in bulletins, reports, circulars or otherwise, the results obtained by the analysis and such additional information regarding the character, value and use of the materials as may be deemed necessary.

Penalty.

5. Any manufacturer or person who sells any agricultural lime that has not been registered, or does not substantially satisfy the guarantee registered and attached, or has opposed the State Chemist, or his deputy, in the discharge of his

duty, shall upon conviction be deemed guilty of a misdemeanor.

6. This act shall take effect January first, nineteen hundred and fourteen. In effect.

Approved April 1, 1913.

CHAPTER 179.

AN ACT to amend an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages, and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, as amended by chapter 366 of the laws of 1912, approved April second, one thousand nine hundred and twelve, amending the title and body thereof.

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

1. Section seventeen of the act to which this is an amendment be and the same hereby is amended so as to read as follows: Section 17 amended

17. No ordinance passed by the board of commissioners, except when otherwise required by the general laws of the State or by the provisions of this act, except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a two-thirds vote of the board of commissioners, shall go into effect before ten days from the time of its final passage; and if during said ten days a petition signed by electors of the city equal in number to at least fifteen per centum of the entire vote cast at the last preceding general municipal election, protesting against the Ordinances in effect ten days after passage. Protest against ordinance to suspend its operation.

passage of such ordinance, be presented to the board of commissioners, the same shall thereupon be suspended from going into operation, and it shall be the duty of the board of commissioners to reconsider such ordinance; and if the same is not entirely repealed, the board of commissioners shall submit the ordinance, as is provided by subsection b of section sixteen of this act, to the vote of the electors of the city, either at the general election or at a special municipal election to be called for that purpose; and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of said section sixteen, except as to the percentage of signers, and be examined and certified to by the clerk in all respects as therein provided. Any ordinance or measure that the board of commissioners or the qualified electors of the city shall have authority to enact, the board of commissioners may of its own motion submit to the electors for adoption or rejection at a general or special municipal election, in the same manner and with the same force and effect as is provided in this act for ordinances or measures submitted on petition. At any special election called under the provisions of this act, there shall be no bar to the submission of other questions to a vote of the electors in addition to the ordinances or measures herein provided for, if said other questions are such as may legally be submitted at such election. If the provisions of two or more measures approved or adopted at the same election conflict, then the measure receiving the highest affirmative vote shall control.

Reconsideration.

Submission to voters.

Petition.

Board may submit ordinance to electors.

Other questions may be submitted.

No petition or submission to the vote of the electors shall be necessary to authorize the undertaking or completion of any work, the purchase or construction of any public utility or improvement,

When no submission necessary.

which any city may be authorized by law to undertake, purchase or construct, or to authorize the borrowing of money and the issuance of bonds or other obligations for any purpose for which any city may be authorized by law to issue bonds or other obligations, and all acts and parts of acts inconsistent herewith are hereby repealed, so far as they require any such election, the referendum provided for in this act being in lieu of any such election required by any other law or laws. Repealer.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 180.

AN ACT to establish a State Department of Public Records and Archives.

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

1. A State Department of Public Records and Archives is hereby established, which shall be under the control of a board of three commissioners to be appointed by the Governor, whose terms of office shall be for two, four and six years, respectively, from the dates of their commissions; *provided, however*, that on the expiration of the terms of office of the appointees for two and four years, thereafter their successors shall be appointed by the Governor for the full term of six years. If a vacancy occurs before the expiration of the term of any of the commissioners, an appointment shall be made for the remainder of the unexpired term. Commissioners. Terms. Proviso. Vacancies.

2. The commissioners shall receive no compensation for their services other than their necessary traveling expenses in attending meetings of the commission or business of the department. They shall have the general management and control of No compensation.

Director.

the department and make rules and regulations for the administration thereof. They shall have the power of appointing a director of such department, and determine and fix his salary upon the approval of the Governor. Such director shall also be secretary of the board.

Duties.

3. The said department, through its director, shall examine into the condition of the records, books, pamphlets, documents, manuscripts, archives, maps and papers kept, filed or recorded, or hereafter to be kept, filed or recorded, in the several public offices of the counties, cities, townships, boroughs and other municipal corporations of the State, and all other public records, books, pamphlets, documents, manuscripts, archives, maps and papers heretofore or hereafter required by law to be kept by any public body, board, institution or society created under any law of the State in said counties, cities, townships, boroughs or other municipal corporations.

Exclusive responsibility.

4. The said department shall have general and exclusive supervision, care, custody and control of all public records, books, pamphlets, documents, manuscripts, archives, maps and papers of any public office, body, board, institution or society now extinct, or hereafter becoming extinct, the supervision, care, custody and control of which are not already or shall not hereafter be otherwise provided for by law.

Duties as to preservation etc. of records.

5. Such department shall take such action as may be necessary to put the records hereinabove specified, except as aforesaid, in the custody and condition contemplated by the various laws relating thereto, and shall provide for their restoration and preservation, and cause copies thereof to be made whenever, by reason of age, use, exposure or any casualty, such copies shall in their judgment be necessary. Whenever such a copy is made, and after it has been compared with the original, it shall be certified by the official person, board or

Copies in evidence.

officer having the legal custody and control of said original, and shall thereafter be considered and accepted as evidence, and, for all other purposes, the same as the original could be; *provided,* that the original shall be thereafter cared for and preserved, the same as if no such copy had been made, for such examination as may be directed by an order of court in any action or proceeding in which the accuracy of the copy is questioned. Proviso.

6. The said department shall provide a systematic plan for acquiring, preserving and classifying such official archives and other material bearing upon the government and the history of the people of New Jersey that may come into its possession. Systematic plan adopted.

7. The officers of any State department, or of any county, city, township, borough or other municipal corporation of the State, or of any institution or society created under any law of the State, may transfer to the department records, books, pamphlets, manuscripts, archives, maps, papers and other documents which are not in general use, and it shall be the duty of the department to receive the same when so transferred and to provide for their custody and preservation. It shall also be unlawful for an officer of such municipal corporation, institution or society to destroy any such records, books, pamphlets, manuscripts, archives, maps, papers or other documents. Certain transfers of records, etc. may be made. Records, etc. must not be destroyed.

8. The director shall make a report annually to the commissioners of the said department, which report shall be transmitted by them to the Governor of this State, covering the operations of this department, with such recommendations as shall be deemed necessary. Annual report.

9. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 181.

AN ACT to amend an act entitled "An act relative to the government and management of the insane asylums or hospitals owned by the State of New Jersey," approved March eleventh, one thousand eight hundred and ninety-three.

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

Section 36 amended.

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

Price indigent persons shall pay.

36. The price to be paid for keeping any person in indigent circumstances in said hospitals, exclusive of clothing, shall be annually fixed by the managers, and shall not exceed four dollars and fifty cents per week.

Section 48 amended.

2. Section forty-eight of the act of which this act is amendatory be and the same is hereby amended to read as follows:

Amount to be paid by state for each indigent patient.

48. There shall be paid from the treasury of this State, in quarterly payments, and upon the warrant of the Comptroller, to the treasurers of said hospitals, towards the maintenance and keep of each indigent patient in said hospitals, a sum equal to one-half the price which shall have been fixed by the managers of said hospitals, in accordance with section thirty-six of this act, and each county shall pay, in the same manner as heretofore, the other one-half of the price which shall have been fixed by the managers of said hospitals as aforesaid.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 182.

AN ACT to amend an act entitled "An act prohibiting the discharge of sewage, excremental matter, domestic refuse and other polluting matter into fresh water," approved April ninth, one thousand nine hundred and ten.

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

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

Section 1 amended.

1. No person shall hereafter discharge or permit to be discharged into any fresh water any sewage, excremental matter, domestic refuse or other polluting matter. The term "fresh water" as used in this act shall be taken to mean and include all water commonly known as fresh, and which may be used for human consumption, irrespective of whether such water shall be found in a stream where the tide ebbs and flows or not; *provided,* that nothing in this section shall prohibit the discharge of the effluent from any sewage disposal plant or plant for the treatment of sewage heretofore approved by the State Sewerage Commission when said commission existed, or heretofore or hereafter approved by the Board of Health of the State of New Jersey, so long as said sewage disposal plant or plant for the treatment of sewage is operated in accordance with the requirements of law and the orders and regulations of the said Board of Health of the State of New Jersey, but if said board of health shall determine that such sewage disposal plant or plant for the treatment of sewage is not operated in accordance with the requirements of law, or if the effluent from said

Pollution prohibited

Fresh water.

Proviso.

plant is determined by said board of health to be insufficiently purified, then the provisions of this section shall apply to such effluent.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 183.

A SUPPLEMENT to an act entitled "An act regulating the age, employment, safety, health and workhours of persons, employees 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.

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

Requirements for elevators.

1. Every elevator located in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on shall conform in every respect to the specifications and requirements hereafter named.

Carrying weight.

2. Such elevator shall have fastened in a conspicuous place therein a metal plate having suitable raised letters on same, which shall designate the number of pounds weight said elevator is constructed to safely carry. Such sign shall be of such character and shall be so placed as to be easily read from any part of such elevator.

Construction of car.

3. All elevator cars except door openings shall be suitably enclosed with substantial material to a height of at least six feet, and the construction properly braced. If enclosed with wood, the same shall not be less than seven-eighths of an inch in thickness, and said enclosure shall be of a solid

construction to a height of at least four feet from the floor of the car. Construction extending higher than the solid enclosure shall have material that will not have more than one inch open space between members of same and shall be protected at the top by an angle iron or bar iron brace rail. Carriage elevators of the four-corner lift type shall be limited to a one-story lift and the counterweights in connection with same must be enclosed on the shaft. No enclosure for car platforms of the type of elevator last mentioned shall be required.

Floor saddles.

4. There shall be not more than one and one-quarter inches space between the floor of the car and the floor saddles and where the saddles project in the shaft, the same shall be properly beveled or protected on the under side. The under side of the car must be of incombustible materials.

Cables.

5. Lifting and weight cables shall have at least one full turn of the cable on the drum when they have reached the limit of travel. Where overhead machines are installed, the use of equalizer arms and counterweights on the car will be permitted. Every elevator shall have not less than two lifting cables independently connected with the car and to each set of counterweights; *provided, however,* in case of any elevator now in use in any such building the Commissioner of Labor may permit the installation of an effective safety device in lieu of the two independent lifting cables when, in the judgment of said commissioner it would be impossible to provide two independent lifting cables for such elevator without unreasonable expense. This section shall not apply to hand-power elevators.

Proviso.

Counterweights.

6. All counterweights shall have their sections strongly bolted together and shall be so constructed that they cannot fall on any part of the elevator or machinery.

Counterweights screened.

7. If counterweights run in the same shaft as the car, they shall be protected with a substantial

New Jersey State Library

screen of iron which shall extend from the top grating in the shaft to a point at least five feet below such grating, and with a like screen which shall extend from the bottom of the shaft upward for at least ten feet.

Grating beneath sheaves.

8. Immediately under the sheaves at the top of every elevator shaft there shall be provided and securely fastened to the shaft a substantial grating of iron or steel having not more than one and one-half inches space between any two members, except at the spaces necessary to be provided for cables to pass through.

Clearance for counterweights.

9. There shall be not less than three feet clearance between the top of each counterweight and the under side of overhead beams when the car is resting on the bumpers. A clear space of not less than three feet must be provided between the bottom of the shaft and lowest point of the under side of the car floor when the car is at its lowest landing and between the top of crosshead of the car and the under side of the overhead grating when the car is at its top landing. In case in the opinion of the Commissioner of Labor it shall be impossible, without unreasonable expenditure, to make any elevator now in use in such building comply with any or all of the requirements of this section, such requirements may be dispensed with by said commissioner.

Machinery enclosed.

10. All parts of the elevator machinery shall be properly enclosed by suitable partitions of incombustible materials, and such enclosures must be lighted, except in the case of machines suspended from ceiling, and in such case, machines so suspended shall be protected by platforms under same composed of incombustible material. Free and safe access must be provided to all parts of elevator machinery.

Top covering.

11. All elevators shall have a covering on the top of the car of expanded metal or wire mesh of sufficient thickness and spaced not more than two-inch centers.

12. The carrying or sheave beams for all machinery shall be of wrought iron or steel. Sheave beam.

13. All elevators operated by hand rope shall be equipped with safety cable locks on each floor. Cable locks.

14. All elevators shall have a trap door in top of car of such size as to afford an easy egress for passengers, or where two cars are in the same shaft such means of egress may be provided in the side of the car. Means of egress.

15. All gates at entrance to elevator shafts shall be semi-automatic or automatic in their action. Every such gate shall be not less than five feet six inches in height unless such gate is placed at a distance of at least twelve inches from the car running line, in which case such gate shall be at least three feet six inches in height. All gates must extend to a distance of not more than ten inches from the floor. All semi-automatic or automatic elevator gates shall be constructed in a substantial manner, providing either solid or open construction. If open construction is adopted, not more than two inches between any member shall be permitted. All gates shall run in grooves and shall have at least one inch bearing in each groove and a clearance of not less than one quarter of an inch provided on both sides of gate. All counterweights for gates shall be enclosed by a pipe well or an enclosure equally as good, which must be approved by the Commissioner of Labor. Gates exceeding three feet six inches in width shall contain top and center reenforcement braces. All anchors, brackets, and connections for grooves and gates shall be of wrought or malleable iron. Substantial chains or cables connecting gates with counterweights must be provided and securely fastened to same. Pulleys for chains or cables shall be recessed sufficiently to allow said chain or cables used to set safely in same, and provided with wrought iron, U-shape, or similar protections to prevent same from slipping off the pulleys. Pul- Gates.

leys shall be securely bolted to wall. Gates shall be constructed of wood or of any other material approved by the Commissioner of Labor.

Tell-tale chains.

16. All elevators having shaft gates less than five feet six inches in height shall be equipped with tell-tale chains fastened to the bottom of the car not less than four feet in length and spaced not more than six-inch centers.

Opening on shaft side.

17. All doors or gates leading to any passenger elevator shaft shall be opened only from the shaft side so as to be controlled only by the operator of the car, and said shaft doors or gates shall be closed immediately the car is put in motion.

Locking device.

18. All cars not operated by a permanent attendant shall be equipped with an approved locking device.

Commissioner of labor to approve plans for elevators.

19. Before any elevator shall be hereafter installed in any such building, or before any elevator now in use in any such building shall be altered, the owner of such building shall, either by himself or his agent or architect, submit to the Commissioner of Labor, for his approval, plans and specifications in duplicate, which plans shall show the type of construction of car enclosures and gates to be used for such elevator, together with the location of gates in connection with the elevator shaft.

Alterations.

20. No elevator hereafter installed in any such building or no elevator now in use in any such building, which shall be hereafter altered in any particular covered by the provisions of this act shall be put into service until a certificate has been obtained therefor, which certificate shall be signed by the Commissioner of Labor and shall recite the fact that such elevator complies in all respects with the requirements of this act.

Penalties.

21. The owner of any building mentioned in the first section of this act in which building is located an elevator which does not comply in all respects with the provisions of this act shall be guilty of a violation of this act and shall be liable to a penalty

of fifty dollars, and every person who shall violate the provision of section of this act shall be liable to a penalty of fifty dollars. If, after conviction of any violation of this act, said violation shall continue for a period of three months, such person so convicted shall be liable to a penalty of two hundred dollars for such continuance. Every continuance of such offense for a period of three months after the entry of judgment for two hundred dollars shall be considered a separate offense, for each of which separate offenses the person so violating this act shall become liable to a penalty of two hundred dollars.

Prevent use of illegal elevators.

22. In case any elevator located in any building mentioned in section one of this act shall not comply with the provisions of this act and shall be in such a condition that its operation, in the judgment of the Commissioner of Labor, is hazardous to the persons using the same or to the persons employed in such building, the said Commissioner of Labor shall forthwith prevent the further use of such elevator until the same is made to comply with the provisions of this act. The Commissioner of Labor shall give to the owner of such building, and to the occupant thereof, in case the same is occupied by some person other than the owner, twenty-four hours' notice in writing of an order forbidding the further use of such elevator, as aforesaid, and at the expiration of such notice shall post at each entrance to such elevator on each floor, a notice that the use of such elevator has been forbidden by an order of the Department of Labor. Such elevator shall not be used after the posting of such notices until a certificate shall be issued by the Commissioner of Labor stating that such elevator complies with all of the provisions of this act. The owner of such building, if he be the occupant of the building, or the occupant of the building, in case the owner is not the occupant, shall, for any violation of this section, be

Notice to cease using.

Penalty.

liable to a penalty of two hundred dollars for each offense.

Recovery of penalties.

23. All penalties for violation of any of the provisions of this act shall be sued for and recovered by the Commissioner of Labor of the State of New Jersey for the use of said State in the same way and manner as penalties incurred by violation of the act to which this act is a supplement.

Approved April 1, 1913.

CHAPTER 184.

A SUPPLEMENT to an act entitled "An act concerning townships" (Revision), approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

Townships divided into wards.

1. It shall be the duty of the township committee of every township of this State, having a population of not less than eight thousand, and not more than ten thousand inhabitants, by resolution, as soon as this act shall take effect therein, to divide such township into three wards; each of which wards shall consist of contiguous territory, and shall contain as nearly as practicable an equal number of inhabitants; *provided, however,* that where any such township shall have been heretofore divided into three wards, such division shall continue until changed in accordance with the provisions of this act.

Proviso.

Membership of township committee.

2. The township committee of any township of this State, having a population of not less than eight thousand, and not more than ten thousand inhabitants, shall consist of two members from each ward, who shall hold office for the term of two years, and one member-at-large, who shall hold

office for the term of two years, and who shall by virtue of his election become chairman of said township committee; and a majority of the members of such committee shall constitute a quorum for the transaction of business; and no ordinance or resolution shall be adopted, nor shall any standing committees be appointed, except by a vote of the majority of the members thereof; the members from each ward and the member-at-large shall be elected at the annual township election; *provided, however,* that at the first election in any township after it shall be divided into wards in accordance with the provisions of this act, there shall be elected a member-at-large, and in each ward one member of the township committee for the term of one year, and one member for the term of two years, and the ballots voted shall designate which one is to serve for the term of one year, and which one for the term of two years.

Adoption of ordinances.

Proviso.

3. The members of the township committee, in any such township holding office when this act shall take effect, shall continue in office and constitute such township committee until twelve o'clock noon of the first day of January next succeeding the date when this act shall take effect in such township, and no longer.

Continuance of present committee.

4. In any township which may be divided into wards in accordance with this act, the township committee may change such division, and the lines of the wards, at any time within one year after the official declaration of the result of any State or United States census.

Ward lines.

5. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 185.

AN ACT to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

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

Section 14 amended.

1. Section fourteen of 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 amended so as to read as follows:

Increased capital.

14. Increase deemed part of capital.

Investment.

The whole of the increased capital shall be paid, and may be invested, and an examination thereof shall be made as is provided in section seven of this act for the original capital stock; and thereupon the said increase shall be deemed a part of the capital of said company, subject to all the provisions of this act applicable to the same; *provided, however,* that whenever any insurance company shall increase its capital stock by more than one hundred thousand dollars, an examination thereof shall be made whenever and as often as one hundred thousand dollars of such increase shall be paid in, as is provided in section seven of this act for the original capital stock; and thereupon the said increase of one hundred thousand dollars shall be deemed a part of the capital of said company, subject to all the provisions of this act applicable to the same.

Proviso.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 186.

AN ACT to prohibit the manufacture, sale, use and possession of air guns and spring guns.

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

Manufacture, possession, use of air and spring guns.

1. It shall not be lawful for any person or persons, corporation or corporations, to manufacture, sell, barter, exchange, hire, loan, give, buy or have in possession or use or shoot any air gun, spring gun, or pistol, or other weapon of similar nature in which the propelling force is a spring or air and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure the person.

Penalty.

2. Any person or persons, corporation or corporations violating the provisions of this act shall be guilty of a misdemeanor.

Approved April 1, 1913.

CHAPTER 187.

AN ACT to amend an act 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," approved March twenty-second, nineteen hundred and five.

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

Section 2 amended.

1. Paragraph two of the act referred to in the title of this act is hereby amended to read as follows:

Acquire land.

2. Said board shall have power to acquire a fee simple estate in any lands to be taken for the purposes of forest park reservations, as in this act hereafter directed, or any easement or profit a prendre that said board in its discretion may deem best; the said acquisition may be accomplished either by deed, gift or devise, or, if necessary, by condemnation proceedings, to be instituted by and in the name of said board, under and pursuant 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)," being chapter fifty-three, laws of one thousand nine hundred, with any amendments thereof or supplements thereto; said board shall have power to hold said lands and any estate, easement or profit a prendre therein for the benefit of the people of the State of New Jersey. Said board shall have power to lease, sell, or exchange for other land, any portion of the lands acquired under the provisions of this act, with any buildings which may be thereon, when, in the judgment of the said board, such lease, sale, or exchange is deemed to be for the best interests of the State in the furtherance of the purposes of the said act. *Provided, however,* that no sale or exchange shall be made without the approval of the Governor. Such leases, sales or exchanges shall be made in the name of the State of New Jersey by the State Board of Forest Park Reservation Commissioners, under the seal of the said commission, signed by the president and secretary thereof. All moneys derived from such sales, leases, or exchanges, shall be paid into the State Treasury and there held as a special fund, subject to expenditure by the said board for any of the purposes expressed in this act.

Proceedings by condemnation.

Proviso.

Moneys held in special fund.

Repealer.

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

Approved April 1, 1913.

CHAPTER 188.

AN ACT naming the hospital building at the New Jersey State Village for Epileptics, at Skillman.

WHEREAS, The State of New Jersey desires to commemorate the late Henry M. Weeks, M.D., because of his keen interest and efficient services in behalf of the epileptic and other dependent unfortunates, and to that purpose desires to give his name to the hospital building of the New Jersey State Village for Epileptics, at Skillman; therefore Preamble.

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

1. The hospital building at the New Jersey State Village for Epileptics, at Skillman, is hereby named and shall be known as the Henry M. Weeks Hospital, in memory of the late Henry M. Weeks, M.D. Memorial name for hospital.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 189.

A FURTHER SUPPLEMENT to an act entitled "An act to regulate fees," approved April fifteenth, one thousand eight hundred and forty-six.

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

1. Hereafter the constables or other persons in counties of more than two hundred thousand and not more than three hundred thousand inhabitants, appointed to attend the Circuit Court, Court of Constables pay.

General Sessions and General Jail Delivery, Court of Common Pleas and General Quarter Sessions in said counties, shall receive for such attendance such sum as the board of chosen freeholders shall direct; *provided,* such sum shall be not less than nine hundred dollars and not more than twelve hundred dollars per annum, which payments shall be in full and in lieu and instead of all mileage or other allowance heretofore made for such attendance.

Proviso.

Repealer.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 190.

AN ACT to promote the safety of travelers and employees upon railroads by compelling common carriers by railroad to properly man their trains.

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

Train crew for more than 30 cars.

1. It shall be unlawful for any railroad company, its officers or agents, receiver, or any person or persons doing business in this State, to run or operate over its road, or any part of its road, or permit to be run or operated over its road, or any part of its road, any freight train consisting of more than thirty (30) freight or other cars, exclusive of caboose and locomotive, with train crew consisting of less than six (6) persons, to wit, one engineman, one fireman, one conductor, one flagman, and two brakemen.

Train crew for less than 30 cars.

2. It shall be unlawful for any railroad company, its officers or agents, receiver, or any person or persons doing business in this State, to run or operate over its road, or any part of its road, or

permit to run or operate over its road, or any part of its road, any freight train consisting of less than thirty (30) freight or other cars, exclusive of caboose and locomotive, with a train crew consisting of less than five (5) persons, to wit, engineman, one fireman, one conductor, one flagman, and one brakeman.

Train crew for passenger trains of 4 cars.

3. It shall be unlawful for any railroad company, its officers or agents, receiver, or any person or persons doing business in this State, to run or operate over its road, or any part of its road, or permit to be run or operated over its road, or any part of its road, any train carrying passengers, consisting of not more than three (3) passenger coaches and one baggage car, with a train crew consisting of not less than five (5) persons, to wit one engineman, one fireman, one conductor, one baggageman, and one flagman. And further, where such train is operated by electricity, consisting of not more than three (3) electric passenger coaches and one electric baggage car, the train crew shall consist of not less than four (4) persons, to wit, one motorman or motorneer, one conductor, one baggageman and one flagman. The provisions of this section not to include the train porters or Pullman employees, if any.

Electric trains.

Exception.

4. Nothing in this act shall be so construed as to make it apply to any train carrying passengers, consisting of three or less cars; *provided,* that nothing in this act shall be so construed to prevent the increasing of the number of men upon trains as set forth herein.

Proviso.

Crew for passenger train of more than 4 cars.

5. It shall be unlawful for any railroad company, its officers or agents, receiver, or any person or persons doing business in this State, to run or operate over its road, or any part of its road, or permit to be run or operated over its road, or any part of its road, any train carrying passengers, consisting of four (4) or more passenger coaches and one baggage car, with a crew of less than six (6) men, to wit, one engineman, one fireman, one

Electric trains.

conductor, one baggageman, one brakeman, one flagman. And further, where such train is operated by electricity, consisting of four (4) or more electric passenger coaches and one electric baggage car, the train crew shall consist of not less than five (5) persons, to wit, one motorman or motorneer, one conductor, one baggageman, one brakeman or guard, and one flagman. The provisions of this section not to include the train porters or Pullman employees, if any.

Other passenger trains.

6. It shall be unlawful for any railroad company, its officers or agents, receiver, or any person or persons doing business in this State, to run or operate over its road, or any part of its road, or permit to be run or operated over its road, or any part of its road, any train consisting of four or more passenger, express, or mail cars, with a crew consisting of less than five (5) men, to wit, one engineman, one fireman, one conductor, one brakeman, one flagman; this not to include the train porters or Pullman employees, if any.

Mail or express trains.

7. It shall be unlawful for any railroad company, its officers or agents, officers of the court, receiver, or any person or persons doing business in this State, to run or operate over its road, or part of its road, or permit to be run or operated over its road, or any part of its road, any train consisting of United States mail, or express cars, without the rear end of the rear car so equipped, with exit free from obstruction, platform of thirty inches in width, guard-rails and steps, also heating appliances to maintain a temperature of sixty-five degrees.

Penalty.

8. Any railroad company, its officers or agents, officers of the court, receiver, or any person or persons operating a railroad, violating any of the provisions of this act, shall be guilty of a misdemeanor, and liable to a penalty of one hundred ($100) for each and every such violation, to be recovered with costs according to law, for the use

of the county in which such violation takes place; *provided, however,* that nothing in this act shall apply or relate to trains owned or operated by manufacturers, made up of hot metal ladles, ingots, slag, or table trucks. Proviso.

9. It shall be the duty of the Board of Public Utility Commissioners of this State to enforce the provisions of this act. Enforcement.

10. All acts or parts of acts inconsistent herewith are hereby repealed. This act shall take effect thirty (30) days after its passage. In effect.

Approved April 1, 1913.

CHAPTER 191.

AN ACT to further amend an act entitled "A general act relating to boroughs" (Revision of 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven, which amendment was approved April second, one thousand nine hundred and eight.

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

1. Section three of said act be and the same is hereby further amended to read as follows: Section 3 amended.

3. In addition to the officers to be elected there shall be appointed a clerk, and there may be appointed a borough attorney, a borough engineer, one or more marshals, an overseer of the poor, a poundkeeper, a superintendent of highways, a borough recorder and so many other officers as may be deemed necessary by the said council, who shall perform such duties as are or may be provided for by law or ordinance of said council not in conflict with law. All of said officers, except the borough attorney and borough engineer, shall be Borough officials. Residence.

residents of the borough, and all said officers shall hold office during the pleasure of the council, provided that no officer shall be removed without giving him an opportunity to be heard; unless sooner removed, however, they shall hold office for one year and until their successors shall have qualified. Whenever a vacancy in such office occurs such vacancy shall be filled by appointment for the unexpired term only. The mayor shall nominate and with the advice and consent of a majority of the members of the council present and voting at any annual or regular meeting constituting a quorum for the transaction of business at which such appointment or appointments may be made, shall appoint all officers in this act directed to be appointed, including the filling of vacancies in elective offices; *provided*, that in case the mayor shall present to the council his resignation from office, such resignation may be accepted by vote of the council, and the vacancy in the office of mayor, thus occurring, may be filled by vote of the council.

Term.

Vacancy.

Appointments by mayor.

Proviso.

Repealer.

2. All acts and parts of acts, general or special, inconsistent with this act, are hereby repealed.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 192.

AN ACT to amend an act entitled "An act respecting conveyances (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Section 21 amended.

1. That section twenty-one of the above entitled act be and the same is hereby amended so as to read as follows:

All instruments may be proven and recorded.

21. All deeds or instruments of the nature or description following, of or affecting the title to any lands, tenements or hereditaments, lying and being in this State, or any interest therein, may be acknowledged or proved and then recorded in the office of the clerk of the Court of Common Pleas of the county where the said lands, tenements or hereditaments are situated, that is to say: conveyances, releases, declarations of trust, mortgages, defeasible deeds or other conveyances in nature of a mortgage, releases or deeds in which the intention to operate as releases from the lien and effect of any mortgage or judgment is plainly manifested, assignments and discharges or satisfaction pieces of mortgages, postponements of mortgages, assignments of judgments, letters of attorney for any sale, conveyance, assurance, acquittance or release, leases for life or any term not less than two years, or any assignments thereof absolute, or by way of mortgage, or security, agreements for sale, or written consents of any person to the execution by an executor, administrator with the will annexed, or trustee, of a power for sale, conveyance, acquittance or release, or writings to declare or direct any use or trust of real estate, or which, though made for some other purpose, are yet by the terms of any recordable deed or will which refers to such writings, made to operate as such declarations or directions, and all other instruments that may have been heretofore or may be hereafter directed by any statute to be acknowledged or proved and recorded; and also in the office of the clerk of the Court of Common Pleas of the county in which the goods, chattels and personal property lie, unless otherwise directed in this or any other act, the following deeds and instruments not of or affecting the title to land, but of or affecting goods, chattels and personal property in this State, that is to say:

Enumeration.

Certain instruments not affecting title to land but personal property.

Enumeration.

chattel mortgages, assignments, releases and discharges thereof, contracts for the conditional sale of goods and chattels, deeds of personal property to literary, benevolent, religious or charitable institutions upon particular trusts therein specified or otherwise.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 193.

AN ACT to enable cities of the second class of this State to defray the cost of laying out, opening, widening and altering public thoroughfares, and making assessments for benefits for such improvements a first lien upon lands.

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

Temporary bond issue for street improvements.

1. Whenever any street, road, highway or alley in any city of the second class of this State has been laid out, opened, widened or altered, pursuant to law, it shall be lawful for the board or body having charge of the finances of any such city to issue temporary improvement certificates or bonds, to an amount not exceeding the sum of two hundred and fifty thousand dollars, for the purpose of defraying the cost of such improvements.

Amount.

Bond issue.

Time.

Rate.

2. Such city may issue, from time to time, permanent bonds, either registered or coupon, or both, negotiable in form, to run for a period of not less than twenty nor more than forty years, to bear interest not exceeding the rate of five per centum per annum, and to be of such form as the board or body having control of the finances shall determine, for the purpose of raising money to take up, pay and retire the whole or any part of

the temporary improvement certificates or bonds issued for the cost of any particular improvement or improvements mentioned in this act. Such board or body shall provide each year in the tax levy for the payment of the interest falling due in that year upon any temporary improvement certificates or bonds, or permanent bonds, so issued and shall also provide for a sinking fund sufficient to meet and pay all permanent bonds issued under the provisions of this act, at maturity. Sinking fund.

3. All assessments for benefits conferred upon land and real estate by the laying out, opening, widening or altering of any street, road, highway or alley shall be and remain a first lien upon the land and real estate thereby improved, notwithstanding any error or omission in stating the name or names of the owner or owners of any such lot or lots of land and real estate, to the same extent as taxes and assessments are now a lien under the general laws of this State, and shall bear the same rate of interest as other assessments under the laws governing such cities, and shall be collected in the same manner as assessments are now collected under such laws, and when collected shall be applied to the payment of the certificates or bonds issued pursuant to the authority of this act. In case of the non-payment of such assessments, land and real estate subject to such liens may be sold in the manner provided for the sale of land for the non-payment of taxes. Assessments a lien.

4. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 194.

AN ACT to amend and supplement an act entitled "An act to establish a uniform standard of weights and measures in this State, to establish a department of weights and measures, and to provide penalties for the use of other than standard or legal weights and measures," approved April twenty-fourth, one thousand nine hundred and eleven.

Section 26 amended.

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

1. Section twenty-six of the act of which this act is an amendment is hereby amended to read as follows:

Penalty for having or using false weights, etc.

26. Any person who injures or defrauds another by using, or causes to be used or has in possession with intent to use for the purpose of sale, a false weight, measure, or other apparatus for determining the quantity of any commodity, or article of merchandise, or sells or exposes for sale less than the quantity he represents, shall be liable to a penalty of not exceeding one hundred dollars, for each offense, the amount of said penalty to be determined, as aforesaid, in the discretion of the judge or police magistrate having jurisdiction, and if any person or persons shall fail to pay the penalty or penalties as imposed, together with the costs of prosecution, the said district court or police magistrate shall issue execution against the goods and chattels and body or bodies of the defendant or defendants as provided in section thirty-nine hereof with the same force and effect; *provided, however*, that the period of detention of ten days provided therein, shall in this case be extended to a period not exceeding ninety days.

Proviso.

2. Section thirty-nine of the act of which this act is an amendment is hereby amended to read as follows:

Section 39 amended.

39. An action to recover any penalty incurred under the provisions of this act may be brought in the name of the State of New Jersey by any duly appointed superintendent or any assistant superintendent by complaint in writing, duly verified by such superintendent or such assistant superintendent, which verification may be upon information and belief, or may be verified by the complaining witness, to be filed with the police magistrate or the district court of any municipality in this State alleging the violation in said municipality of any of the provisions of this act or acts supplementary thereto or amendatory thereof, who is hereby authorized to issue a summons returnable in from one to ten days from the date thereof, same to be served not less than two days prior to the return thereof, or a warrant directed to any superintendent or to any assistant superintendent, or to any constable or police officer commanding him to cause the person or persons so complained of to be summoned or arrested and brought before such judge or magistrate, who shall at the return of the said summons or warrant forthwith in a summary way hear and determine the guilt or innocence of such person or persons, and upon conviction shall impose upon the person or persons so convicted the penalty or penalties prescribed for such offense, together with the costs of prosecution of the proceedings in said court, or before such magistrate, and if any person or persons shall fail to pay the penalty or penalties so imposed, together with the costs of prosecution, execution shall be issued against his or their goods and chattels, body or bodies without any order of the court for that purpose first had and obtained. If the officer executing any such writ shall be unable to find sufficient goods and chattels of said defendant or de-

Recovery of penalties.

Defendant may be arrested.

fendants in his bailiwick to make the amount of said judgment and costs, he shall take the body of the defendant or defendants and deliver him or them to the keeper of the common jail of said county for a period not to exceed ten days, except as may be otherwise in this act in this respect provided; or until said penalty and costs are sooner paid; *provided, however,* that the defendant or defendants may be released upon order of the judge or magistrate before the expiration of any imprisonment prescribed in default of payment of any judgment, upon the written order of the committing magistrate or a justice of the Supreme Court, in the discretion of said judicial officer, after one day's notice of time and place of application for such order to the State Superintendent of Weights and Measures. It shall be the duty of the city attorney of any municipality wherein such violation shall take place to assist in the prosecution of the same, unless such municipality has no such municipal superintendent of weights and measures, as provided for in section ten hereof in which case the public prosecutor of the county wherein such violation shall take place, shall assist in such prosecution. All fines and penalties collected from persons offending against the provisions of this act shall be paid by the magistrate receiving the same into the county treasury of such county, unless such penalty was incurred within a municipality or municipalities having a municipal superintendent, as provided in section ten, in which case such penalty shall be paid into the treasury of said municipality or municipalities pro rata.

Proviso.

City attorney to assist in prosecution.

Disposition of penalties.

3. Add to the act to which this act is an amendment and supplement the following:

Additional paragraph.

39a. For violation of any of the provisions of the act to which this act and section is supplementary, done within the view of any superintendent or assistant superintendent of weights and measures, such superintendent or assistant superin-

When arrest without warrant.

tendent is authorized, without warrant, to arrest the offender or offenders and to conduct him or them before the judge or police magistrate having jurisdiction in said municipality wherein such arrest is made and offence committed, and such judge or police magistrate is hereby authorized and required on verified complaint in writing, setting forth the nature of the offence for which said arrest was made, to be filed then and there with such judge or police magistrate, before the commencement of the hearing, to hear and determine in a summary way the guilt or innocence of such person or persons, and inflict the penalties provided by law.

Summary hearing.

4. Add to the act to which this act is an amendment and supplement the following:

Additional paragraph.

39b. Any party to any proceeding instituted under this act may appeal from the judgment or sentence of the district court or police magistrate to the Court of Common Pleas of the county in which the said proceedings take place; *provided*, that the party appealing shall, within two days after the date of the said judgment, file a written notice of appeal with the district court or police magistrate, pay the costs of such proceedings, and deliver to such district court or police magistrate a bond to the opposite party in double the amount of the judgment appealed from with at least one sufficient surety, conditioned to prosecute the said appeal and to stand to and abide by such further order or judgment as may hereinafter be made against said party, which appeal shall act as a stay of execution, unless said appeal shall be dismissed for want of jurisdiction in the court appealed to, in which case the district court or police magistrate may issue execution as in this act provided upon the remanding and dismissal of the appeal papers to said district court or magistrate with certified copy of the order of dismissal as aforesaid.

Appeals.

Proviso.

Additional paragraph.

5. Add to the act to which this act is an amendment and supplement the following:

Transcript sent to court of common pleas.

39c. Whenever an appeal shall be taken as aforesaid, it shall be the duty of the district court or police magistrate to send all papers, together with a transcript of the proceedings in the case to the next term of the Court of Common Pleas of the said county, if at least five days shall intervene between the rendition of said judgment and the commencement of said term of court; but, if otherwise, then said proceeding shall be brought on and heard at the next subsequent term of said court, which court shall hear and determine such appeal in the same way and manner as said case was heard and determined by such district court or police mgistrate, who shall render final judgment therein, upon which judgment in case of affirmance of conviction, execution directed to the sheriff as provided in the first instance in sections twenty-six and thirty-nine hereof may issue; *provided, however,* that if the defendant shall be committed to jail under any execution provided for in this act, on failure to pay the amount due of penalty and costs, such commitment shall be construed as a waiver and release of any appeal bond previously given in the proceeding.

Proviso.

Repealer.

6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 195.

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.

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

Section 24 amended.

1. Section twenty-four of the act to which this is an amendment is hereby amended so as to read as follows:

Foreign will may be recorded to make title.

24. A copy of any will or of the record of any will of a decedent not resident in this State at the time of his death, admitted to probate in any State or Territory of the United States or the District of Columbia, or in any foreign State or kingdom, and of the certificate, order or decree of probate thereof, and of the record of the grant of letters testamentary thereon or of the copy of the letters testamentary thereon, exemplified and authenticated according to the act of Congress, if it be the record of any State or Territory of the United States or the District of Columbia, or certified in the manner required by the laws of the foreign State or kingdom in which such will shall have been proved and recorded to make it legal evidence in such foreign State or kingdom, if it be the record of a foreign State or kingdom, heretofore or hereafter filed and recorded in the office of the surrogate of any county in this State, shall, if it thereby appears that said will was executed in accordance with the laws of this State, have the same force and effect in respect to all lands and real estate whereof the testator died seized, as if

Force and effect.

said will had been admitted to probate and letters testamentary or of administration with the will annexed thereon had been issued in this State; and all conveyances of such real estate heretofore or hereafter made by any executor or executors, or administrator or administrators with the will annexed, trustee or trustees, substituted trustee or trustees, or the survivor or survivors of them, or by any devisee or devisees or persons claiming under such devisees, shall be as valid as if said will had been admitted to probate and letters testamentary or of administration with the will annexed had been issued in this State; and such record or certified copies of said will, proofs, order for probate and letters or of the record thereof, shall be received in evidence in all courts of this State.

Certified copies in evidence.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 196.

AN ACT to repeal an act entitled "A further supplement to the act entitled 'An act to establish public parks in certain counties in this State and to regulate the same,' approved March fifth, one thousand eight hundred and ninety-five," which supplement was approved April fifteenth, one thousand nine hundred and eleven.

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

Act repealed.

1. That the act entitled "A further supplement to the act entitled 'An act to establish public parks in certain counties in this State and to regulate the same,' approved March fifth, one thousand eight hundred and ninety-five," which supplement

was approved April fifteenth, one thousand nine hundred and eleven, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 197.

A SUPPLEMENT to an act entitled "An act to authorize incorporated towns to construct, operate and maintain a system of sewers or a system of sewers and drains, and to provide for the payment of the costs of the construction, operation and maintenance thereof," approved April third, one thousand nine hundred and two.

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

Issue sewer bonds.

1. The mayor and board of aldermen or other governing body of any incorporated town is hereby authorized to borrow money by issuing bonds in the name and on the credit of such incorporated town, to be denominated "sewer bonds," in addition to the bonds issued under section thirty-nine of the act to which this is a supplement for the purpose of raising money to pay and satisfy the costs and expenses authorized to be incurred under the terms of the act to which this is a supplement in the construction of a system of sewers or a system of sewers and drains, and which have not been paid by money raised on note or notes or temporary obligations of said incorporated town, and also to pay and satisfy the costs and expenses of litigation growing out of the said work, including any judgment or judgments which have been or may be obtained against such incorporated town; *provided, however,* that the total amount of bonds issued under the act to which this is a supplement

Proviso.

and those to be issued under this supplement shall not together exceed seven per centum of the assessed value of the property of such incorporated town as shown by the books of the assessor for the last assessment made previous to the adoption of the act to which this is a supplement.

Amount.

2. The mayor and board of aldermen or other governing body of such incorporated town shall, by resolution, determine the amount of bonds to be issued, the time or times when such bonds shall become payable, whether at the same time or different times; and the rate of interest, when such interest shall be paid, and the general form of such bonds. Said bonds shall not be payable less than ten years or more than fifty years after date, and shall not bear more than five per centum interest, or be sold for less than par, and shall be a like lien as if issued under the terms of the original act.

Time.

Rate.

Sinking fund provisions.

The provisions of sections forty and forty-one of the act to which this is a supplement, relating to the sinking fund and interest, shall be applicable to the bonds issued pursuant to this act.

Repealer.

3. All acts or parts of acts, in so far as they are inconsistent herewith, are hereby repealed, and this act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 198.

A SUPPLEMENT to an act entitled "An act for the punishment of crimes (Revision of 1908," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Practicing law without license a misdemeanor.

1. Any person or persons engaging in the practice of law in this State without being duly li-

censed therefor as provided by law, shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 199.

A SUPPLEMENT to an act entitled "An act concerning streets and highways in townships," approved April ninth, nineteen hundred and ten.

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

Payments in cases of assessing benefit and damages.

1. Whenever, by the report and map of the said assessment commissioners, corrected as aforesaid, it shall appear that an award has been made to any person for property taken or damages sustained, and that such person is also assessed for benefits received on account of the same improvement, then, if the assessment equal or exceed the award, no payment shall be made on account of such award; and, if the award exceed the assessment, only so much of the award as is in excess shall be paid, and the resolution of the township committee ordering the awards to be paid shall be framed accordingly; and when the amount to be assessed shall be finally determined, such amount shall be set off against the amount of the award unpaid; and if the amount of the award unpaid be in excess, the assessment shall be cancelled, and such excess only shall be paid to the person to whom the award is made; and if the amount of the assessment be in excess, the award unpaid shall be cancelled and such excess only shall be a lien upon the property assessed; the rest of the award or assessment, as the case may be, being also cancelled.

Action taken in case of dissatisfaction.

2. Whenever any person who shall have presented objections as aforesaid, to an award shall be dissatisfied with the determination of the township committee, thereupon such person may commence an action on contract against the said township in the Circuit Court of the county or in the Supreme Court of this State (provided that the trial shall be had in the county in which such township is located), which action shall proceed in all things as if such township had, upon the taking the real estate, required for the said improvement, agreed in writing to pay therefor the value thereof and the damage done by taking the same; and

Taxed costs.

if, in said action, the plaintiff shall recover more than the amount awarded as aforesaid, he shall recover his taxable costs according to law; and if he shall not recover more than the amount awarded, then the defendant shall recover its taxable costs against the plaintiff, and shall be entitled to have them deducted from the amount recovered by the plaintiff, and execution shall issue only for the balance, the assessment (if any) against the plaintiff being also deducted from the amount of the

Proviso.

judgment; *provided also,* that no such action shall be brought by any person who may have received payment of the amount awarded; nor unless notice that such action will be brought, be filed with the clerk of said township within sixty days after confirmation of the award, nor unless such action be commenced within six months after such confirmation;

Proviso.

provided further, that the judge of the said Circuit Court may, upon petition, for good cause shown, and upon such terms as he may direct, dispense with either or all of the provisions in the last proviso contained. The bringing of such action shall not deprive the said township of the right to enter upon and take possession of the lands and real estate necessary to be taken, upon paying or tendering payment to the owner of the amount awarded, and, if such tender be refused,

Bringing action no bar to entry.

or if such owner be unable to receive the same, upon paying the said amount to the clerk of the county in which such lands are located, there to be awarded at the termination of such action.

Assessments a lien.

3. Upon the passage of a resolution confirming any assessment, such assessment shall constitute a first and paramount lien upon the property assessed for the amount of such assessment and so remain until the said assessment is paid, notwithstanding any devise, descent, alienation, mortgage or other encumbrance thereof and shall be collected in the same manner as other taxes levied against real estate in townships are collected. It shall be the duty of the township clerk within ten days after the adoption of the resolution confirming any assessment, to deliver a certified copy thereof to the collector of taxes in said township, who shall, within fifteen days after receiving the same, serve upon each owner of any lot assessed, a notice, which shall set forth the description of such lot contained in the resolution confirming said assessment, the amount assessed thereon, to whom assessed and the date of confirmation of said asessment; service of this notice shall be made by delivering a copy thereof to the owner in person or by leaving the same at his place of residence or by mailing the same with postage prepaid, directed to said owner at his last known post-office address or by posting a like notice upon the lot described in said resolution, confirming said assessment.

Notification to collector.

Service of notice on owners.

Certificates of indebtedness.

4. The township committee shall have power and authority to issue certificates of indebtedness for the amount necessary to pay said awards and other lawful expenses, which certificates shall bear interest at a rate to be fixed by the committee, not exceeding six per centum per annum and shall be payable within three years from their respective dates and shall not be sold for less than par and accrued interest and shall be redeemable at the pleasure of the township committee. In case such

Rate and time.

Bond issue to redeem certificates.

certificates shall not be paid at maturity, the township committee shall have power to issue bonds, to run for a period not exceeding ten years, for the redemption of said certificates, which bonds shall bear interest at a rate not exceeding five per centum per annum.

5. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 200.

A SUPPLEMENT to an act entitled "A further supplement to an act entitled 'An act to incorporate Gloucester City, Camden county, New Jersey,' " approved March ninth, one thousand eight hundred and seventy-one.

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

Salary of mayor.

1. The common council may, by ordinance, fix the salary of the mayor of such city at any sum not exceeding twelve hundred dollars per annum, same to be paid monthly as other salaries are paid.

Repealer.

2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 201.

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.

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

Work may be done by contract.

1. It shall be lawful for the town council or board of commissioners of towns formed, incorporated or existing under the act to which this is a supplement, in the manner hereinafter provided, to make contracts at one time or at different times for the doing of any or all of the work or for the furnishing of any or all of the material necessary for the grading, flagging, macadamizing, paving, curbing or guttering of any street, avenue, highway or section thereof or for the construction of a sidewalk of any material thereon, which the said council or board of commissioners may have previously authorized or may thereafter authorize for all or any portion of the then current calendar year; the said council or board of commissioners shall first adopt a resolution by the unanimous vote of all the members of the council or board of commissioners that it is to the interest of the town to make a general contract or contracts for the doing of any or all of the work or for the furnishing of any or all of the material necessary for the said improvements heretofore authorized or hereafter to be authorized for all or any portion of the then current calendar year; at any time after the passage of the said resolution by the unanimous vote of the council or board of commissioners as aforesaid, the council or board of commissioners may require the clerk to advertise for pro-

Resolution

Proposals invited.

posals in the official newspaper of the town and in such other newspapers as the council or board of commissioners may designate, for the doing of all or any part of the work or the furnishing of all or any part of the materials necessary for such improvements as the council or board of commissioners may have previously authorized or may thereafter authorize during such portion of the then current calendar year as the council or board of commissioners may determine; the said proposals shall be presented in such form and manner and under such regulations as the council or board of commissioners shall prescribe; upon the coming in of such proposals the council or board of commissioners may enter into contract with the lowest responsible bidders on the terms of their proposals; *provided, however,* that the council or board of commissioners may reject all bids if they deem it for the interest of the town so to do, in which case they shall again advertise for proposals if they desire to operate under the provisions of this act and shall proceed in all things as if no proposals had been offered; and the council or board of commissioners shall require the person or persons so entering into contract with the town to give bonds with ample freehold security for the due performance thereof.

Acceptance of proposals.

Proviso.

Bond required

Expenses assessed on property benefited.

2. The costs and expenses incurred in making any such improvement pursuant to the provisions of this act, shall, when ascertained, be assessed upon the lands and real estate specially benefitted by the improvement in accordance with the provisions of the act to which this act is a supplement.

Powers here given deemed additional.

3. This act shall be construed to be an addition to the powers already vested in the council or board of commissioners by the act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five, and shall not limit or interfere with the power of the council

or board of commissioners to make such improvements in the manner already prescribed in the act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five.

Repealer.

4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

5. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 202.

AN ACT to amend an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act for the punishment of crimes (Revision of 1898),"' " approved June fourteenth, one thousand eight hundred and ninety-eight, which supplement was approved October twenty-eighth, one thousand nine hundred and seven, and which amendment was approved March twenty-fifth, one thousand nine hundred and eight.

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

Section 1 amended.

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

Expenditures over $1000 by contract.

1. Save when otherwise ordered, in writing, by the State House Commission, no contract or agreement for the construction of any building or buildings, for the making of any alterations, extensions or repairs thereto for the doing of any work or labor, or for the furnishing of any goods, chattels, supplies or materials of any kind whatsoever, the cost or contract price whereof is to be paid with State funds and shall exceed the sum of one thousand dollars, shall be awarded, made or entered into by the board of managers or board of trustees

of any State institution, or by any State department or commission, or by any person or persons whomsoever acting for or on behalf of the State, without first having publicly advertised for bids upon the same, according to the specifications to be furnished to, or for the inspection of prospective bidders, by the board of managers or board of trustees of any State institution, or by the State department or commission, or by the person or persons acting for or on behalf of the State, authorized to procure the same; which advertisement shall be inserted in three or more newspapers once each week for at least three weeks successively next before the time fixed for receiving bids, two of which newspapers shall be printed and published in the county wherein such building or buildings are to be built, such alterations, extensions or repairs made, such work or labor done, or such goods, chattels, supplies or materials furnished, and one of which newspapers shall be printed and published in the city of Trenton, in this State, and which advertisements shall designate the time and place when and where sealed proposals, which shall be required to be accompanied in each case with cash or a certified check for at least ten per centum of the amount of the bid, will be received and publicly opened and read; and the contract shall, within three days thereafter be awarded to the lowest responsible bidder except that the right to reject any or all bids is reserved to and may be exercised by the person or persons acting for or on behalf of the State in such matters; subject to the execution by him of a proper contract or agreement and the furnishing by him within a reasonable time of a bond to the State of New Jersey which bond shall be in amount equal to at least fifty per centum of the amount of such contract or agreement with satisfactory security, conditioned for the faithful performance of his contract or agreement; any person or persons authorizing,

Advertisement.

Award.

Bond for performance of contract.

consenting to, making, or procuring to be made, any contract, or agreement in violation of any of the provisions hereof, or making or procuring to be made payment of State funds for or on account of any contract or agreement made or entered into in violation of any of the provisions hereof, shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 203.

AN ACT for the relief of Franklin Titus, an officer of the Passaic County Fish and Game Protective Association.

Preamble.

WHEREAS, Franklin Titus, a resident of Paterson, county of Passaic, State of New Jersey, while assisting State Game Warden Smith, of Passaic county, in discharge of his duties as such State game warden, was shot down by an unknown Italian and the result of said injury incapacitated him, the said Titus, from performing any duties from the sixteenth day of September to the twenty-fourth day of October, nineteen hundred and eleven; and

WHEREAS, The salary, hospital and doctor bills accruing to the said Franklin Titus between the above dates, being five weeks, amounting to one hundred and ninety-nine dollars and seven cents, are a total loss; therefore,

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

Appropriation.

1. There be included in the act making appropriations for the State government for the fiscal year ending October thirty-first, one thousand nine hundred thirteen, the sum of one hundred ninety-nine dollars and seven cents, to be paid to the said

Paid from fish and game funds.

Franklin Titus by the Treasurer of the State from the funds derived from receipts of the Board of Fish and Game Commissioners of this State, upon the warrant of the Comptroller upon the presentation of proper certificates.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 204.

A SUPPLEMENT to an act entitled "An act concerning marriages" (Revision of 1912), approved March twenty-seventh, one thousand nine hundred and twelve.

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

Issued by city clerk in first class cities; fee.

1. In cities of the first class, all such marriage licenses shall hereafter be issued by the city clerk. For issuing such license he shall be entitled to receive from the applicant the sum of one dollar. All fees so received shall be paid into the treasury of such city, to be used for the relief of its poor.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 205.

A SUPPLEMENT to an act entitled "An act to provide for the permanent improvement and maintenance of public roads in this State (Revision of 1912)," approved April fifteenth, nineteen hundred and twelve.

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

Care of roads leading to state property.

1. The Commissioner of Public Roads is hereby authorized to improve and to keep in repair any road, or section of road, leading up to any institution or to any park or reservation maintained wholly by the State of New Jersey, and cause plans and specifications for such improvement to be made. If the said commissioner shall decide that said road, or section of road, shall be improved, the same shall be improved in all respects in accordance with the provisions of the act to which this act is a supplement, and the payment of the cost of said improvement and the repair of said road after said improvement shall be paid out of any appropriation made for the improvement and maintenance of roads authorized to be improved or maintained under the act to which this act is a supplement, or for the repair of said roads, out of any moneys derived by the Commissioner of Public Roads pursuant to any law of this State, which said payments shall be made out of the treasury of this State, on the warrant of the Comptroller, on bills duly approved by said Commissioner of Public Roads.

Improvement of roads.

Meeting cost.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 206.

An Act to amend an act entitled "An act to authorize cities having a public water supply derived from sources beyond the city limits to protect the same from pollution by providing for any portion of the territory from which such water is derived, or through which it flows, a system of sewers or drains in order to take up, carry off and dispose of the sewage and other polluting matter, and providing also for the raising and expenditure of the money necessary for this purpose," approved April fourth, one thousand nine hundred and seven.

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

Section 2 amended.

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

Proposed system approved by state board of health.

2. In no case shall the construction of such system of drains or sewers be commenced or entered upon unless or until the State Board of Health shall approve the construction of such system of drains or sewers as a sanitary measure, and shall define in a general way the limits of the district or territory within which or for which such system of drains or sewers shall be constructed.

Section 3 amended.

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

Disposition of sewage.

3. Every system so constructed shall provide for the disposal of the sewage and other polluting matter taken up at a place and in a manner that shall render the same harmless, and before entering upon the construction of the same the plans prepared therefor shall have been presented to

and approved by the State Board of Health.

Section 4 amended.

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

Outbuilding connections.

4. Whenever a sewer system shall be constructed as herein provided, the board or body having charge of the water supply of such city shall have the power and authority at its own expense to connect such system with any outhouses or privy vaults along the line of the said sewer system or within the district indicated by the said State Board of Health, and for this purpose may enter upon private or public lands and make the necessary excavations and connections and install proper appliances, at the expense of such city, for the flushing of outhouses and privy vaults. In all cases the surface of the ground wherein such excavations are made shall be restored to its original condition as near as may be.

Section 6 amended.

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

House connections.

6. If in any case any town, borough, township or other municipality, or the owners of property located along the line of said sewer system or within the district in which and for which said sewer system is established shall desire to have connections with the sewer system directly from any sewers or system of sewers which has been built or which may be built by said town, borough, township or other municipality, or from any dwelling or place of abode, the board or body having charge of the construction of the system of sewers authorized by this act is hereby authorized and empowered to enter into a contract or contracts with the governing body of such town, borough, township or other municipality or with such owner or owners of dwellings or places of abode, for the furnishing of such sewerage facilities at some reasonable price to be agreed upon and to be collected as in such contracts provided.

Section 7 amended.

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

Flushing sewers.

7. Whenever in the construction of the sewer system hereby authorized it becomes necessary to furnish a water supply for the flushing of said system, the board or body under whose direction the work is constructed may enter into a contract for the furnishing of water for said flushing with any private water company or municipality engaged in supplying water at some reasonable price to be agreed upon.

Section 9 amended.

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

Use of system enforced.

9. Whenever any system shall have been installed under the provisions of this act within the district defined, as herein provided, it shall be the duty of every person owning or occupying premises therein to use the facilities afforded for drainage and sewerage, and to cease using any other method for the disposal of house-drainage, sewage or other polluting matter, and the State Board of Health is hereby authorized and directed to enforce the provisions of this act in this respect by appropriate proceedings at law or equity.

Section 11 amended.

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

Bond issue.

11. In order to provide the moneys necessary for the construction of such sewer system, the common council or other governing body of such city having control of its finances may, at the request of the board or body having control of the water supply, cause the bonds of such city to be issued to an

Amount.

amount not exceeding five hundred thousand dollars, and to negotiate and sell the same at not less than their par value.

Time.

Such bonds may run for a period not exceeding fifty years from the date of their issue and be of

such denomination and form, payable with interest not exceeding five per centum per annum, payable semi-annually, as the common council or other governing body may by resolution determine. Provision shall be made by the board having control of the water supply in any city where such bonds are issued for the payment of the semi-annual interest on the bonds issued and for the payment to the sinking fund commissioners of such city of not less than one per centum of the face value of such bonds, to provide a sinking fund for the payment of the principal when the same falls due; *provided, however*, that in case the funds under the control of such board not otherwise pledged or appropriated shall in any way be insufficient for this purpose, it shall be the duty of the common council or other governing body of such city to make provision for the whole or deficiency, as the case may be, in the annual tax levy of such city.

Rate.

Sinking fund.

Proviso.

8. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 207.

A Supplement to an act entitled "An act making an appropriation for the purpose of making a permanent inlet or mouth to Shark river in the county of Monmouth," approved March twenty-first, one thousand nine hundred and twelve.

Preamble

WHEREAS, The Legislature, by an act to which this act is a supplement, did appropriate the sum of thirty-five thousand dollars for the purpose of making a permanent inlet or mouth to Shark river in the county of Monmouth; and

WHEREAS, The county of Monmouth, and the boroughs of Belmar and Avon have appropriated and placed at the disposal of the State Treas-

urer the sum of twenty thousand dollars to be used in conjunction with the money appropriated by the State for said improvement; and

WHEREAS, A considerable increase in the price of Portland cement, steel bars and labor has taken place since the estimates were made on which the above appropriation was based, and the lowest bid received for making said improvement was considerably in excess of the amount of said appropriation;

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

Additional appropriation.

1. The sum of fifteen thousand dollars be and the same is hereby appropriated in addition to that appropriated by the act to which this act is a supplement for the purpose of making a permanent inlet or mouth to Shark river, in the county of Monmouth, said work to be done and money to be expended as provided in the act to which this act is a supplement; *provided, however*, this sum shall not be available unless included in an appropriation bill.

Proviso.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 208.

An Act to authorize the city council or other governing body of any city in this State to purchase lands or to use and devote lands already acquired for the purpose of erecting, constructing and maintaining one or more public comfort stations, and to issue bonds for the purpose of securing money to pay for the lands purchased and for the construction of said comfort stations.

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

Public comfort stations in cities.

1. The city council or other governing body having control of the finances of any city of this State

may purchase lands for the erection, construction and maintenance of one or more public comfort stations in such lands lying contiguous thereto as shall be necessary to make said comfort station or stations accessible, and may purchase and properly equip the same, and in case any such city shall have purchased lands for the purpose specified in this act, it may issue bonds to pay for the same and the equipment thereof, and for the purpose of reimbursement of any fund of such city used to buy and equip said lands, and construct, erect, and equip said stations, as specified in section two of this act.

Bond issue.

2. Any city which has or shall purchase or condemn lands for the purposes mentioned in the preceding section of this act, or already has lands used for public purposes, may build and construct such comfort stations of such size, height and dimensions as may be deemed proper, to be so constructed as to be used in whole or in part as public comfort stations, and the city council or other governing body of such city shall in all cases award the contract or contracts for constructing the same to the lowest responsible bidder.

Construction.

Work done by contract.

2. For the purpose of acquiring and paying for such lands, or reimbursement of any fund which may have been used for acquiring such lands and the construction, erection and equipment of said comfort stations, and the improvements made thereon, the city council or other body having control of the finances of such city is hereby authorized and empowered to issue bonds of said city to an amount not exceeding thirty thousand dollars, said bonds to run for such period as said governing body shall determine; to be sold at not less than the par value thereof, and to bear interest at a rate not exceeding four per centum per annum, payable semi-annually, and said bonds shall be of such denomination as said governing body may designate, and may be either registered or coupon

Bond issue.

Amount.

Rate.

bonds, and shall be signed by the mayor, comptroller and city clerk under the corporate seal of the city issuing the same, and there shall be placed in the tax levy of any city issuing such bonds, each year after their issue, and raised by taxation, a sum of money sufficient to pay the annual interest thereon, and such further sum for a sinking fund as will meet and pay said bonds at maturity.

Sinking fund.

4. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 209.

An Act authorizing the construction of a memorial chapel on the grounds of the New Jersey Reformatory for Women.

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

Chapel at reformatory.

1. A memorial chapel is hereby authorized to be constructed on the grounds of the New Jersey State Reformatory for Women, in this State, at such place on the grounds aforesaid as shall be designated by the governing body of said reformatory. Said chapel shall be constructed only after plans therefor shall have been approved by the board of managers of said reformatory and the Commissioner of Charities and Corrections of this State, and the construction thereof shall be defrayed by any person or persons who shall desire to construct said chapel, but in no event shall any money be contributed by the State for said purpose.

Plans.

By whom payment made.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 210.

An Act to prevent unfair competition and unfair trade practices.

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

Dealers must not use name, trade-mark, etc., of others.

1. It shall be unlawful for any merchant, firm or corporation, for the purpose of attracting trade for other goods, to appropriate for his or their own ends a name, brand, trade-mark, reputation or good will of any maker in whose product said merchant, firm or corporation deals, or to discriminate against the same, by depreciating the value of such products in the public mind, or by misrepresentation as to value or quality, or by price inducement, or by unfair discrimination between buyers, or in any other manner whatsoever, except in cases where said goods do not carry any notice prohibiting such practice, and excepting in case of a receiver's sale, or a sale by a concern going out of business.

Not depreciate value unfairly.

Liability.

2. Any person, firm or corporation violating this act shall be liable at the suit of the maker of such branded or trade-marked goods, or any other injured person, to an injunction against such practices, and shall be liable in such suit for all damages directly or indirectly caused to the maker by such practices, which said damages may be increased threefold, in the discretion of the court.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 211.

An Act authorizing boroughs to raise by taxation for the support of any independent fire company in boroughs of this State an annual amount not exceeding two hundred and fifty dollars.

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

Boroughs may appropriate money to independent fire companies.

1. Whenever there shall be an independent fire company within any borough of this State, which fire company shall not be under the control of said borough, the borough council may, by resolution, appropriate for the use of said company a sum not exceeding two hundred and fifty dollars in any one year, which sum shall be raised by general taxation.

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 212.

A Supplement to "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."

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

Boroughs may extend water system.

1. Whenever a borough shall own a water system or sewer system, and desires to extend or add to the same in accordance with the provisions of the act to which this act is a supplement, the council of said borough may pay for the extension or

addition to said sewer system or water system by issuing therefor certificates of indebtedness; *provided*, the cost of such extension or addition shall not exceed eight thousand dollars, and the certificates shall not bear interest at a greater rate than six per centum, and shall not run for a longer period than eight years; *and provided further*, there shall be raised by taxation in every year that said certificates shall be outstanding one thousand dollars to apply in payment on the principal sum of said certificates in addition to the interest charges thereon. Proviso. Proviso

2. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 213.

An Act fixing and regulating the compensation of the Vice-Chancellors of the Court of Chancery.

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

1. From and after the passage of this act each of the Vice-Chancellors of the Court of Chancery shall be entitled to receive an annual salary of twelve thousand dollars, to be paid in equal monthly payments by the Treasurer of this State upon the warrant of the Comptroller of the Treasury. Salary of vice-chancellors.

2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved April 1, 1913.

CHAPTER 214.

An Act to repeal an act entitled "An act to authorize the appointment of a process server in counties of this State, of the second class, having a population exceeding seventy-five thousand," passed April twelfth, nineteen hundred and twelve.

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

Act repealed.

1. An act entitled "An act to authorize the appointment of a process server in counties of this State, of the second class, having a population exceeding seventy-five thousand," which act was passed April twelfth, nineteen hundred and twelve, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 215.

An Act concerning local boards of health and employees thereof in cities in this State, and for the relief of such employees.

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

Employes of city health boards may associate for pension purposes.

1. In all cities in this State which have heretofore established, or which may hereafter establish, local boards or departments of health therein, it shall be lawful for the employees of such local boards or departments of health to associate themselves together as a corporation for the purpose of providing and obtaining a fund to pension such employees.

Meeting called to consider question.

2. For the purpose of forming such a corporation the health officer or other chief officer or person in charge of such employees shall notify each and every employee of such local board or department of health to attend a meeting to be held not less than five days after the giving of such notice, to consider the formation of a corporation in accordance with this act. Said notice shall be in writing and shall specify the time and place of the meeting of such employees. If two-thirds of the employees present at such meeting shall vote in favor of forming such a corporation they shall adopt a resolution to that effect and shall choose a name for the corporation, and shall send a copy of such resolution to the local board or department of health or other municipal board having charge or control of such board or department, and shall recommend to such board or body four members of such board or department as trustees; the first trustees created under this act shall prepare and sign a certificate reciting the adoption of the resolution by the employees as hereinbefore directed, the name adopted, the appointment of trustees, the organization and the names of officers and execution of the certificate, for the purpose of forming a corporation under this act for the purposes herein set forth, which certificate shall be recorded in the office of the clerk of the county wherein such corporation shall be organized, and shall then be filed in the office of the Commissioner of Banking and Insurance, at Trenton, in this State, and thereupon such trustees, their associates and successors, shall be and become a body politic and corporate in law with all the powers incident thereto.

Formation of corporation.

Trustees.

Details of certificate to be filed in insurance department.

Management.

3. The pension fund to be formed as hereinafter provided for shall be under the control and management of the board of five trustees, to be composed of the health officer of such board or department, ex officio, and four members of such local board or department to be elected by a majority

Terms.

vote of the entire number of employees of such local board or department. The first board of trustees selected, as in section two of this act, shall serve until the month of January following the incorporation of such association, at which time a board of trustees shall be appointed as heretofore provided in this section; one for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years, who shall serve for the respective terms for which they each were chosen, and thereafter annually, in the month of January in each year, a member of such board of trustees shall be chosen for a full term of four years to serve in the place and stead of the trustee whose term shall have then expired, so that the term of office of but one member shall expire in each year.

Bond of trustees.

4. Such trustees and all other officers of the said corporation shall give bonds with some duly authorized security company, as surety thereon, for the faithful performance of their duties in such sum or sums as shall be fixed by the by-laws of the corporation.

Organization.

5. The said board of trustees shall at the first annual meeting thereof elect a chairman, secretary and treasurer and such other officers as they may deem necessary; the secretary may be one of their own members, or the clerk of such local board or department of health; the board of trustees shall fix the compensation of the secretary and treasurer; the chairman shall serve without compensation.

How payments made.

6. All moneys paid out of such pension fund shall be paid by the treasurer of such corporation upon warrants signed by the chairman of the board of trustees and countersigned by the secretary thereof, and no warrant shall be drawn except by the order of said board upon a yea and nay vote recorded in the minutes of said board. Such board of trustees may deposit such fund in any of the banks or trust companies of such cities, and

Depository for funds.

may invest the same in bonds secured by first mortgages on improved property worth at least twice the amount loaned, or in bonds of the United States or of this State, or any city or county in this State. All income, interest or dividend which shall be paid or agreed to be paid on account of any loan or deposit shall belong to and constitute a part of said fund.

Reports.

7. The board of trustees shall make a semi annual report of the condition of such fund and the manner in which the same is invested to the local board or department of health of any such city, in the months of January and July in each year, and at such other times as they may be requested so to do by such local board or department.

Pensions exempted.

8. All pensions granted under this act shall be exempt from execution, attachment or any other legal process whatever. Such pension fund shall be provided and sustained as follows:

Sources of fund.

From fines and fees.

I. By paying into such pension fund moneys which shall have been received by any such board or department of health from fines and fees, and which may, from time to time, be designated for such purpose by the local board or department of health of any such city, not to exceed, however, twenty-five hundred dollars in any one year.

Reward, gifts, etc.

II. By all rewards, fees, gifts or emoluments paid or given for extraordinary services rendered by any such employee of such board or department, except when the same is allowed by such local board or department of health or other duly authorized municipal authority having charge and control of such board or department, to be retained by such employee or member, or when the same is specially given to endow a medal or other competitive reward.

Appropriations, bequests, etc.

III. By all appropriations, donations, devises and bequests that may be made or given to such pension fund by any such municipality or other

corporation or person.

Monthly deduction from salary.

IV. If the amount of any such pension fund shall at any time be less than twenty thousand dollars, the board of trustees of any such corporation may assess and collect from each and every employee of such board or department who shall take advantage of this act as hereinafter provided, a sum not exceeding two per centum of his salary; said sum shall be paid by each and every member monthly to the treasurer of such corporation, and such assessment and collection shall be in manner and form as may be provided in the by-laws of the corporation, and whenever any such employee who has taken advantage of the provisions of this act shall die, shall leave or be discharged from the employ of any such board or department, having served therein for a less term than twenty years, all payments made by such employee to such pension fund shall be forfeited by him and shall be added to and become a part of such pension fund.

Forfeiture of payments.

Pensions paid.

9. Pensions shall be paid from such fund in the manner following:

Twenty-five years of service.

I. In all cities of this State in which this act shall become operative, all employees of such local board or department who shall have honorably served therein for twenty-five years, shall, upon application to the local board or department of health in such city, be retired by such board, and shall thereupon receive from such pension fund an amount, annually, equal to one-half of the salary received by such employee at the time of his retirement.

Amount.

Incapacity by service.

II. If any employee of such board or department shall hereafter become incapacitated, either mentally or physically, for the performance of his duties, whenever such incapacity is the result of injury received or illness incurred in the discharge of his duties as an employee of such department, he shall be retired by such local board or department of health, and shall thereupon be entitled to

receive from such pension fund, during the term of such incapacity or injury, an amount equal to one-half of his salary received by him at the time of his retirement. Amount.

III. Any employee of any such local board or department of health who shall have served therein for twenty-five years continuously, who shall become incapacitated, either mentally or physically, from illness or injury incurred in the performance of his duties as such employee, or who, by reason of advanced age, is found unfit for the performance of his duties, shall be retired by the local board or department of health of such city, and thereupon he shall receive from such pension fund an amount equal to one-half the salary received by him at the time of such retirement. No pensions shall be paid out of any such fund until after the thirty-first day of December, in the year one thousand nine hundred and eighteen. Otherwise incapacitated. Amount. When first pension paid.

10. The employees of any such local board or department of health who shall be entitled to accept the provisions of this act shall be the health officer or chief inspector employed by such board or department; all persons employed in the sanitary department of any such board; all persons regularly employed by any such board in the care of any tuberculosis or any other hospital which is or may be under the control of any such board; all persons actually engaged as physicians, nurses, or otherwise, in taking care of patients in any such tuberculosis or any other hospital, excepting visiting physicians not on the regular staff of any such hospital; all persons employed in any dispensary or laboratory under the control and management of any such board, including chemists regularly employed by any such board; it being the intent of this section of this act to include under the provisions thereof all persons and employees on the payroll of the department of health. Who eligible to membership.

Taking advantage of fact.

11. Persons employed by any such board or department of health at the time of the passage of this act shall not be permitted to take advantage of the provisions hereof after the expiration of two years from the date of the passage hereof; and all persons coming into the employ of any such board or department subsequent to the date of this act shall not be entitled to take advantage of the provisions hereof unless he shall, within two years after the date upon which he shall have been appointed, make application to said board for membership in such pension fund as hereinafter provided; and any such applicant shall be required to pay into such fund together with such application a sum of money equal to one per centum of the salary of such employee from the date of his appointment to the date of such application; and no such application shall be antedated.

Perjury.

12. Any person who shall willfully or knowingly swear falsely in any oath or affirmation for the purpose of obtaining or procuring any pension or the payment thereof, under the provisions of this act, shall be deemed guilty of perjury upon conviction thereof, and shall be punished by law for such crime.

Dishonesty to bar.

13. Any employee of any board or department of health who shall be included in the provisions of this act who shall unlawfully retain any of the moneys, funds, properties or effects of any corporation organized under this act shall forever be debarred from receiving any relief or benefit from any such pension fund.

Application for membership.

14. Any employee of any such board or department of health hereinbefore mentioned may avail himself of the benefits of such pension fund by making application in writing for membership therein and paying into said fund monthly one per centum of the salary received by such employee at the time of such application; *provided, however,* that employees who desire to take advantage of

Proviso.

this act after the formation of such corporation or the creation of such pension fund shall be required to conform with the provisions of section eleven of this act.

15. All acts and parts of acts inconsistent with this act be and the same are hereby repealed. Repealer.

16. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 216.

An Act to amend an act entitled "An act concerning the pay or salary of officers and employees of paid fire departments in cities of first class in this State," approved April eighth, nineteen hundred and eight.

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

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

1. It shall be lawful for the board or body having charge and control of the fire department in any city of the first class in this State, with the concurrence of the board having charge and control of the finances in such city, and with the approval of the mayor thereof, to fix and determine the annual pay or salaries for officers thereof. Salaries of officers.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 217.

An Act to regulate the practice of osteopathy in the State of New Jersey, and to license osteopathic physicians to practice in this State and punish persons violating the provisions thereof."

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

Examination to practice osteopathy.

1. The State Board of Medical Examiners established by an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four, and the several supplements thereto and acts amendatory thereof, shall in addition to the examination therein provided for, hold meetings for examinations of all applicants under this act for a license to practice osteopathy in this State at the Capitol building of this State, on the third Tuesday of June and October of each year, and such other times and places as the board may deem expedient; said board shall keep an official record of all its meetings and an official register of all applicants for a license to practice osteopathy in this State; said register shall show the name, age, nativity, last and intended place of residence of all applicants for license, giving the name and location of the school or college which has granted said applicant the degree of doctor of osteopathy; said register shall also show whether said applicant was examined, licensed or rejected under this act, and said register shall be prima facie evidence of all matters therein contained.

Record of applicants.

Application.

2. All persons hereafter desiring to commence the practice of osteopathy in this State shall apply

to said board for a license to do so; applicants for examination shall present to the secretary of said board, at least ten days before the commencement of the examination at which he or she is to be examined, a written application on a form or forms provided by said board, and a fee of twenty-five dollars, together with satisfactory proofs that the applicant is more than twenty-one years of age, is of good moral character and has obtained a certificate from the Commissioner of Education showing that such applicant before entering a college of osteopathy had obtained an academic education consisting of a four years' course of study in an approved public or private high school, or the equivalent thereof, and has been duly graduated with the degree of doctor of osteopathy from a legally incorporated school or college of osteopathy requiring personal attendance, conferring the degree of doctor of osteopathy, in good standing in the opinion of said board, and wherein the curriculum of study shall include instructions in the following branches, to wit: anatomy, physiology, pathology, histology, hygiene, toxocology, and dietetics, chemistry, obstetrics, gynecology, osteopathic and physical diagnosis, principles of surgery, medical jurisprudence, bacteriology, theory and practice of osteopathy, and in such other subjects as the board may elect; and upon passing an examination in these studies satisfactory to the board shall be granted a license to practice osteopathy in this State. The osteopathic member shall conduct the examination in principles and practice of osteopathy, and shall alone determine and decide for the board the standing of osteopathic schools and colleges.

Academic education required.

Subjects included in medical course.

Who to conduct examination.

All examinations shall be exclusively in writing and in English. In the event of a failure to pass, an applicant may at the next regular examination after such failure be re-examined without the payment of an additional fee.

English examination; re-examination.

Attendance at osteopathic school.

In case such applicant for examination entered an osteopathic school prior to the passage of this act, he or she shall furnish evidence of having attended and completed not less than three full courses of not less than nine months each, in three different calendar years, in a school or college of osteopathy requiring personal attendance. If any such applicant shall have received his or her degree in osteopathy after the first day of July, nineteen hundred and fifteen, he or she shall furnish evidence of having attended and completed not less than four full courses of not less than eight months each, in four different calendar years, in a school or college of osteopathy requiring personal attendance, prior to the granting of such diploma and conferring of such degree. Said board are hereby authorized in their discretion to grant a license to practice osteopathy without examination, to any person who has been duly graduated from and who holds a diploma from any legally incorporated school or college of osteopathy in good standing in the opinion of said board, and who is duly licensed or registered to practice osteopathy in another State or country, if such other State or country authorizes the issuance of license without examination under similar circumstances to residents of New Jersey, licensed or registered in accordance with the provisions of this act, upon the payment to said board of a fee of fifty dollars.

License without examination.

Reciprocity.

Fee.

Certificate of registration.

3. Any person actually engaged in the practice of osteopathy in this State for a period of at least one year at the time this act becomes effective, who is a legal resident of this State, and who has graduated from a school or college of osteopathy requiring personal attendance, and in good standing in the opinion of said board, and who shall present to the said board proof to that effect within three months after the said last mentioned time, shall be entitled to receive from said board a certificate of registration upon the payment to said

board of a fee of ten dollars; each person so certified shall cause such certificate to be filed with the clerk of the county in which he or she resides, as provided in the seventh section of this act, for the registration of licenses. Fee.

4. The license or registration (as the case may be) provided for in this act shall authorize the holder thereof to practice osteopathy as hereinafter defined in all its branches as taught and practiced in the legally incorporated schools or colleges of osteopathy, but shall not entitle the holder thereof to prescribe or administer drugs, or perform such surgical operations as require cutting. Authorization.

5. For the purposes of this act, the practice of osteopathy is defined as follows: Definition of osteopathy.

"A method or system of healing whereby displaced structure of the body are replaced in such a manner by the hand or hands of the operator that the constituent elements of the diseased body may reassociate themselves for the cure of the disease."

6. Osteopathic physicians licensed or registered under this act shall be subject to the same rules and regulations, both municipal and State, that govern other physicians in the control of infectious and contagious diseases, the reporting and certifying of births and deaths. Subject to general laws as to diseases.

7. The person so receiving said license shall file the same, or a certified copy thereof, with the clerk of the county in which he or she resides, and said clerk shall file said certificate or copy thereof and enter a memorandum thereof, giving the date of said license, with the name of the person to whom the same is issued, and the date of said filing, in a book to be kept by them for that purpose, and for which registry the said county clerk shall be entitled to demand and receive from each person registering the sum of one dollar; in case a person so licensed shall move into another county of this State, he or she shall procure from the said clerk License filed with county clerk. Fee.

In case of removal.

a certified copy of such registration, and then file the same with the clerk of the county to which he or she shall remove, and the said clerk shall file and enter the same with like effect as if the same was an original license, and for which registry the said clerk shall be entitled to demand and receive the sum of one dollar.

Fee.

Refusal and revocation of license.

8. The board may refuse to grant a license to any person guilty of unprofessional or dishonorable conduct, or any person guilty of felony, or any person addicted to the liquor or drug habit to such a degree as to render him unfit to practice, and may, after notice and hearing (at which the person shall be entitled to appear personally, or by attorney, and offer evidence), revoke for any such cause any license heretofore granted, and any person, after such refusal or revocation of license, who shall attempt or continue the practice of osteopathy, shall be subject to the penalties hereinafter prescribed.

Definitions.

The words "unprofessional or dishonorable conduct" used in this section are hereby declared to mean:

a. The procuring or aiding or abetting in procuring criminal abortion.

b. Conviction of any offense involving moral turpitude.

Improper representation.

9. Any person who shall claim to practice or claim to attempt to practice osteopathy in treating diseases or any ailment whatsoever of the human body, or who shall use any of the terms or letters "osteopath," "osteopathist," "doctor of osteopathy," "diplomate in osteopathy," "D. O.," "mechano therapeuth," or "doctor of mechano therapeutics," or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of osteopathy, without first having been licensed or registered in accordance with this act or without having complied with the provisions of this act, shall be deemed guilty of a misdemean-

or and upon conviction thereof, shall be punished for the first offense by a fine of not less than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days, or both by fine and imprisonment, and for each subsequent offense the punishment shall be double that of the preceding one, and it shall be the duty of the district attorneys or prosecutors of the counties of this State to prosecute violations of this act. Penalty.

When any prosecution under this act is made on the complaint of any incorporated medical or osteopathic association of this State, any fines collected, one-half thereof shall be paid to the association making the complaint, and one-half to the county collector of the county in which the prosecution is had. Disposition of fines.

10. The expenses of said board of the examinations shall be paid from the license fees above provided for, and if any surplus remain, the same may be distributed among the members of said board as a compensation for their services as members, but otherwise they shall receive no compensation whatever. How expenses of examining board met.

11. The term "board," when used in this act, means the State Board of Medical Examiners. "Board" defined.

12. All acts or parts of acts conflicting with the provisions of this act are hereby repealed, and this act shall take effect immediately. Repealer.

Approved April 2, 1913.

New Jersey State Library

CHAPTER 218.

An Act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any city of said county.

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

Freeholders may acquire road within city limits.

1. The board of chosen freeholders of any county in this State is hereby authorized to acquire, from time to time, in the manner hereinafter provided, any road or roads lying within or extending through the corporate limits of any city in such county.

Procedure to acquire road.

2. Any board of chosen freeholders desiring to acquire any road or roads as provided and authorized by section one (1) hereof shall do so by the adoption of a resolution or resolutions, from time to time, as in the judgment of the said board shall appear to be proper; such resolution shall

Resolution to designate road.

designate the road or roads to be acquired, naming the city or cities within or through which such road or roads extend, and to such resolution or resolutions shall be attached a map or maps showing the road or roads sought to be acquired, the lines, location, width and length thereof. A copy

Maps, etc., filed with county clerk

of said resolution or resolutions, together with the map or maps of such road or roads attached, certified by the clerk of said board of freeholders shall within thirty days from the adoption of such resolution be filed in the office of the clerk of the county.

Care of road to devolve on freeholders.

3. Upon the adoption of a resolution which must also be duly adopted and consented to by the board or body of such city having charge of the streets and roads in such city, as hereinbefore pro-

vided for and the filing of a certified copy thereof with map attached, in the office of the clerk of the county as provided by section two (2) hereof, the road described in such resolution and shown by such map shall become and be a county road, and the duty of keeping the same in repair shall devolve exclusively upon the board of chosen freeholders, and all other powers and duties respecting such road shall be imposed upon and vested in said board of chosen freeholders; *provided, however,* that nothing herein shall divest the authorities of any city in which such road may be, or through which it may extend, of their authority to light such road, or of their power to construct, grade, curb, pave or repair the sidewalks and curbs along said road, nor shall this power of said governing bodies divest the board of chosen freeholders of their right to construct across or under the sidewalks of said road the necessary culverts or other structures necessary for the proper maintenance of such road; *and provided further,* that the board of chosen freeholders shall not grant any easement, right of way, or use, in, under or over any such county road or roads unless the governing body of each city in said county through which said road runs or extends shall consent thereto, and that where the consent of property owners is required under any laws of this State, the same shall be obtained before such grant of any such easement, right of way or use.

Proviso.

Proviso.

4. After acquiring any road hereunder, the board of chosen freeholders may, from time to time, improve the same, either in whole or in part, and for that purpose shall cause drawings, plans and specifications to be made, and shall advertise in one or more newspapers in such county, and in such other manner as such board may direct, for two weeks successively, at least once in each week, the first advertisement being at least ten days prior to the receipt of bids, the time and place of the reception of sealed bids and the terms

Road improvements.

Work done by contract.

of said bidding by the said board or its committee named for that purpose, and the contract shall be awarded to the lowest responsible bidder who shall furnish security satisfactory to such board.

Funds. 5. It shall be lawful for the board of chosen freeholders to appropriate and raise annually, by taxation, in the same manner as other county taxes are raised, such sum of money as they shall deem necessary to meet all costs and expenditures

Proviso. to be made under this act; *provided,* that the sum raised and appropriated in any fiscal year shall not exceed one-fourth of one per centum of the ratables of such county as ascertained for the then current fiscal year.

6. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 219.

AN Act to amend an act entitled "A supplement to an act enntitled 'An act concerning the extension, renewal and continuance of the existence of corporations organized under the laws of this State,'" approved April eighth, one thousand nine hundred and three.

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

Section 5 amended. 1. Section five of the act to which this is an amendment, be and the same hereby is amended so as to read as follows:

Affidavit required. 5. No corporation shall have the right to proceed under the provisions of this act unless it shall file with the certificate and written assent provided for in section one hereof an affidavit of the presiding officer and secretary of said meeting that it is at the time either actually engaged in, or has provided for, the conduct of the business for which it was incorporated; and in all cases where the

charter of a corporation may have expired by limitation of the period set forth in its certificate of incorporation, said corporation shall have the benefit of the right to proceed under the provisions of this act, and upon complying with the conditions set forth in this act the existence of such corporation shall be renewed, extended and continued as declared in said certificate with the same effect and force as if the certificate, written assent and affidavit provided for herein had been filed prior to the expiration of such charter period, and as fully as if said period of extension had been named in the original charter or certificate of organization of such corporation; *provided,* that at the time of such certificate of extension of corporate existence, there shall be attached thereto, the approval of the Attorney-General of this State.

Renewal of corporate existence.

Proviso.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 220.

An Act to amend an act entitled "An act directing the descent of real estates," approved April sixteenth, one thousand eight hundred and forty-six, and the amendments thereof and the supplements thereto.

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

1. Section four of the act entitled "An act directing the descent of real estates," approved April sixteenth, one thousand eight hundred and forty-six, be amended so as to read as follows:

Section 4 amended.

4. When any person shall die seized of any lands, tenements, hereditaments in his or her own right in fee simple, without devising the same in due form of law, and without leaving lawful issue, and without leaving a brother or sister of the

When property goes to mother.

whole blood or any lawful issue of any such brother or sister, and without leaving a father, then the inheritance, except as hereinafter provided, shall go to the mother for life, and after her death, the same shall go and descend as provided for in said act, to which this act is an amendment, in case the person so dying seized shall die without leaving a mother capable of inheriting the same; *provided, however,* that when any person has heretofore died, or shall hereafter die so seized of any lands, tenements or hereditaments, as aforesaid, without devising the same in due form of law, and without leaving any person enumerated in amended section six of the said act, to which this is an amendment, capable of inheriting said lands, tenements and hereditaments, except a mother, and not leaving a wife or husband, the same shall descend and go to the said mother in fee simple; *and provided further*, that nothing herein contained shall be operative or have any effect in any case or cases wherein any proceedings have been had or taken or are now pending on behalf of the State under and by virtue of the law now existing to escheat said lands, nor shall this act affect or in anywise impair any title to any land heretofore obtained under and by virtue of any proceedings heretofore had and taken in pursuance of law.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPER 221.

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

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

ARTICLE XV.

COMPULSORY EDUCATION.

Compulsory attendance at school.

1. Every parent, guardian or other person having charge and control of a child between the ages of seven and sixteen years shall cause such child regularly to attend a day school in which at least reading, writing, spelling, English grammar, arithmetic and geography are taught in the English language by a competent teacher, or to receive equivalent instruction elsewhere than at school, unless such child is above the age of fourteen years, has been granted an "age and schooling certificate" and is regularly and lawfully employed in some useful occupation or service. Such regular attendance shall be during all the days and hours that the public schools are in session in said school district, unless it shall be shown to the satisfaction of the board of education of said school district that the mental or bodily condition of the child is such as to prevent his or her attendance at school.

Certificate granted.

"Age and schooling certificates" shall be granted by the superintendent of schools or the supervising principal of the district on the application in person of the parent, guardian or custodian of

the child for whom such certificate is desired. In a district in which there is no superintendent or supervising principal such certificates shall be issued by the principal teacher, or if there be no principal teacher, by the person designated for that purpose by the board of education.

Continuance at school unless employed.

Every child under the age of sixteen years who shall have completed the grammar school course prescribed for the district in which such child resides, who is not regularly and lawfully employed in any useful occupation or service, shall attend the high school designated by the board of education of said district.

What certificate to show.

2. Every "age and schooling certificate" shall state the color, name, sex, date and place of birth, residence, color of hair and eyes, height, weight, and any distinguishing facial marks of the child, and shall contain a statement that the proofs of age, education and physical condition required by this article have been filed with the officer issuing the certificate, and that the child named in the certificate has personally appeared before such officer and been examined.

Child to sign.

Every such certificate shall be signed in the presence of the officer issuing the same by the child in whose name it is issued.

Record kept.

The officer authorized to issue "age and schooling certificates" shall keep a record of every such certificate issued by him giving all the facts contained in such certificate, and also a record of the name and address of every child to whom a certificate has been refused, together with the name or number of the school which such child should attend, and the reasons for refusal.

Conditions upon which certificate is issued.

No "age and schooling certificate" shall be issued until there shall have been filed with the officer authorized to issue the same, satisfactory proof that the child for whom such certificate is requested has regularly attended a public school, or has received instruction equivalent to that provided in the public schools, for a period of not less

than one hundred and thirty days during the twelve months next preceding the date of the application for such certificate, is able to read intelligently and write legibly simple sentences in the English language, has completed a course of study equivalent to five yearly grades in reading, writing, spelling, English language and geography, is familiar with the fundamental operations of arithmetic, up to and including simple fractions, and that such child is able to perform the work in which he or she expects to be employed.

Proof of age.

3. For the purpose of this act evidence that the child is at least fourteen years of age shall consist of one of the following proofs of age and shall be required in the order herein designated as follows:

Birth certificate.

(a) A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child.

Passport or date of baptism.

(b) A passport, or a duly attested transcript of a certificate of baptism showing the date of birth, and place of baptism of the child.

If above proof lacking.

(c) In case the proofs required by paragraphs (a) or (b) cannot be produced, such other documentary evidence of age as shall be satisfactory to the officer issuing the certificate (except the school record of the child or the affidavit of the parent, guardian or other person having control of such child) may be accepted, duly attested, as proof of age, in the discretion of the officer issuing the certificate.

Physician's certificate.

(d) In case no documentary proof of age can be produced the officer authorized to issue the certificate may receive and file an application for a physician's certificate, signed by the parent, guardian or other person having control of the child for whom the application is made. Such application shall contain the name, alleged age, place and date of birth and present residence of the

child, together with such further facts as may be of assistance in determining the age of such child, and shall also contain a statement certifying that the person signing such application is unable to produce any of the documentary evidence specified in paragraphs (a), (b) or (c). If within sixty days after the date of the filing of such application, and after a careful examination during such period, no facts shall appear tending to discredit or contradict any material statement in the application, the officer authorized to issue the certificate may direct the child to appear, at a time and place to be designated by him, for physical examination, but without removal of clothing, by two physicians officially designated by the board of education of the school district in which said child resides. In case said physicians shall certify in writing that they have separately examined said child, and, that in their opinion, such child is at least fourteen years of age, such officer shall, for the purpose of this act, accept the certificates of such physicians as sufficient proof of the age of said child.

Examination.

In case the certificates of said physicians do not agree, the child shall be examined by a third physician, designated as aforesaid, and the concurring opinions shall, for the purpose of this act, be sufficient evidence of the age of said child.

In disagreement another physician called.

The officer issuing the certificate shall require the evidence of age specified in paragraph (a) in preference to that specified in any subsequent paragraph, and shall not accept the evidence of age specified by any paragraph other than paragraph (a) unless there shall be filed in his office, in addition thereto, an affidavit of the parent, guardian, or other person having control of the child, showing that no evidence of age specified in any paragraph preceding that specified in the affidavit can be produced. Said affidavit shall contain the age, date and place of birth, and present residence of the child. Said affidavit must be taken before the

Preparation of certificate.

Affidavit.

officer issuing the "age and schooling certificate," who is hereby authorized and required to take the same, and who shall not demand nor receive any fee therefor.

Physical condition.

For the purpose of ascertaining the physical condition of the child a certificate shall be filed by the medical inspector of the school district in which such child resides, stating that such child has been examined and, in the opinion of said medical inspector has the normal development of a child of its age; is in sufficiently sound health and physically able to be employed in any of the occupations in which a child between fourteen and sixteen years of age may be legally employed.

Failure to comply deemed disorderly conduct.

4. Any parent, guardian or other person having charge and control of any child between the ages of seven and sixteen years, who shall fail to comply with any of the provisions of this article relating to his or her duties, shall be deemed to be a disorderly person. Upon the filing of a sworn complaint with the Court of Common Pleas of the county, or with a police justice or city, town or borough recorder of the municipality in which such school district shall be situate, a rule shall be issued by said court, police justice or recorder and served by the sheriff or any constable, requiring said disorderly person to appear before the court, police justice or recorder issuing said order, together with any child or children under the charge and control of the person upon whom said order is served, who have not been in regular attendance at school as required by this article, at the place and time and on the date specified in said rule, to show cause why said disorderly person should not be punished by a fine not exceeding five dollars for the first offense and not exceeding twenty-five dollars for each subsequent offense, in the discretion of the court, police justice or recorder. Upon the return of said rule and the appearance of said disorderly person, together with said child, said court, police justice or re-

Rule issued.

Penalty.

Inquiry by court.

corder shall inquire into the facts and make such disposition of the case as the law requires. If said disorderly person and said child shall fail to appear in response to said rule, a warrant shall be issued by said court, police justice or recorder to said sheriff or constable, commanding him to bring said disorderly person and said child forthwith before said court, police justice or recorder for such disposition as said court, police justice or recorder may make in said case.

Juvenile disorderly person.

5. Every child between the ages of seven and fourteen years, and every child between the ages of fourteen and sixteen years who is not lawfully employed in some useful occupation or service, who shall repeatedly be absent from school, or found away from school during school hours, whose parent, guardian or other person having charge and control of such child is unable to cause him to attend school, or any pupil who shall be incorrigible, actually vagrant, vicious or immoral in conduct, shall be deemed to be a juvenile disorderly person.

Trial of juvenile offenders.

Upon the filing of a sworn complaint with the the court for the trial of juvenile offenders, a rule shall be issued by the court having jurisdiction over juvenile offenders, served by the sheriff or any constable, requiring said juvenile disorderly person to appear before said court, at the place and time, and on the date specified in said rule, to show cause why said juvenile disorderly person should not be punished in the manner prescribed for juvenile disorderly persons. Upon the return of said rule and the appearance of said juvenile disorderly person said court shall inquire into the facts and make such disposition of the case as the court shall, in its discretion according to law, direct. If said juvenile disorderly person shall fail to appear in response to said rule, a warrant shall be issued by said court to said sheriff or constable, commanding him to bring said juvenile disorderly person before said court for such disposition as

said court may make in said case.

Attendance officer.

6. For the purpose of enforcing the provisions of this article the board of education of each school district shall appoint a suitable number of qualified persons to be designated as attendance officers, and shall fix their compensation. Said board shall make rules and regulations not inconsistent with the provisions of this article, for the government of said attendance officers, which rules and regulations must be approved by the Commissioner of Education.

Children found from home or school.

7. Every attendance officer who shall find any child between seven and fourteen years of age (or any child between fourteen and sixteen years of age, who is not lawfully employed in some useful occupation or service) away from home during school hours, who shall then be a truant from school, shall take such child and deliver him to the parent, guardian or other person having charge and control of such child, or to the teacher of the school which such child is lawfully required to attend. The attendance officer shall examine into all violations of the provisions of this article, and shall warn any child violating any of the provisions of this article and also the parent, guardian or other person having charge and control of said child of the consequences of said violation if persisted in, and shall notify, in writing, such parent, guardian or other person to cause said child to attend school within five days from the date on which notice was served and regularly to attend thereafter.

Liability of parent or guardian.

If said parent, guardian or other person shall fail, neglect or refuse to cause said child to attend school within said period and regularly to attend thereafter until he has reached the age of sixteen years or has been granted an "age and schooling certificate," said parent, guardian or other person shall be deemed to be a disorderly person and liable to be proceeded against in the manner prescribed in this article, without further notice.

School for truants.

8. The board of education of any school district may establish and maintain a school or schools, or may set apart separate rooms in a public school building for instruction and restraint of children above the age of seven years who are habitual truants from school or who are habitually insubordinate, incorrigible or disorderly during their attendance at school. Any such school or rooms shall be known as a special grade school.

Maintenance of special grade school.

9. A special grade school shall be maintained as other public schools shall be maintained in the district in which it is situate, under such rules and regulations as the board of education of such district may prescribe.

Sending children to other district special grade school.

10. The board of education of a school district in which there shall be no special grade school may send children who are residents of such district and who are habitual truants, or insubordinate or incorrigible, as defined in this article, to a special grade school in another district in the same manner and upon the same terms as other children are sent to schools in a district other than that in which they reside as prescribed in the act to which this act is a supplement.

Fees allowable.

11. The following fees shall be allowed for services under the provisions of this act, which shall be in full of all other fees and charges whatsoever:

To officer for serving process, ...
Serving warrant, ... $0 75
and mileage at the rate of four cents per mile.
Serving every subpœna or order,..... 25
Serving commitment, ... 50

which fees shall be paid by the county collector or city, town or borough treasurer, as the case may be, and all fines collected shall be paid to said collector or treasurer for the use of said county, city, town or borough.

No fees to salaried persons.

No person who is paid a stated salary shall be entitled to or be paid any of the fees specified in this section.

12. The Commissioner of Education shall prepare and furnish all blanks and forms necessary to carry into effect the provisions of this article. Blanks and forms.

13. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 222.

An Act to provide for instruction in preventing accidents.

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

1. It shall be the duty of each teacher in any public school in the State of New Jersey to devote not less than thirty minutes in each month during which such school is in session to instructing the pupils thereof as to ways and means of preventing accidents. Instruction to prevent accidents.

2. The Commissioner of Education, in conjunction with the Commissioner of Labor, shall prepare and publish at the expense of the State a book conveniently arranged in chapters or lessons for the purpose of the instruction provided in the preceding section, and shall furnish a copy thereof to each teacher required to give such instruction. Text books.

3. The members of the boards of education, school directors, trustees or other bodies or persons having control of the schools of a township, borough, village or city or school district shall cause a copy of the next two preceding sections to be printed in the manual or handbook prepared for the guidance of teachers where such manual is in use. Law printed in teachers' manual.

Approved April 2, 1913.

CHAPTER 223.

An Act to repeal an act 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-six, and the amendments thereof and the supplements thereto," and which amendment was approved April first, one thousand nine hundred and twelve.

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

Act repealed.

1. An act 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-six, and the amendments thereof and the supplements thereto," and which was approved April first, one thousand nine hundred and twelve, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 224.

A Supplement to an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, eighteen hundred and ninety-four, providing for the appointment of an osteopathic physician as a member of the State Board of Medical Examiners.

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

Osteopathic member of medical examiners.

1. Within thirty days after the passage of this supplement, the Governor shall appoint an addi-

tional member of the Board of Medical Examiners. established by the act to which this act is a supplement. Such additional member shall be a reputable osteopathic physician practicing osteopathy in this State, and shall be a graduate of a legally incorporated school or college of osteopathy requiring personal attendance. He shall represent the school of practice to which he belongs in said board. He shall be appointed for the term of three years and until his successor is appointed and qualified. In case of vacancy, by reason of death, resignation or otherwise, before the expiration of the term for which he was appointed, the Governor shall appoint a successor for such unexpired term.

Term.

Vacancy.

2. Nothing in this act contained shall in anywise affect the term of office of any person now holding office as a member of the State Board of Medical Examiners. Such board shall, however, hereafter consist of ten members, nine of whom shall continue to be appointed in accordance with the provisions of the act to which this act is a supplement. The other member shall be an osteopathic physician as herein provided.

Membership of board.

3. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 225.

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.

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

1. Section seventy-eight of the said act to be amended so as to read as follows:

Section 78 amended.

Persons aggrieved may appeal.

78. Any person aggrieved by the proceedings or determination of such receiver in the discharge of his duty, may appeal to the Court of Chancery within thirty days after notice of such proceedings or determination or such further time as the Chancellor may allow, which court shall in a summary way hear and determine the matter complained of and make such order touching the same as shall be equitable and just. The word "person" used in this section shall include all persons artificial or natural.

Approved April 2, 1913.

CHAPTER 226.

A Further Supplement to an act entitled "An act to amend the title and body of an act entitled 'An act to provide for the purchase of sites for and the erection and equipment of armories in counties of the third class, and making appropriations therefor, and to provide for the taking of real estate for such sites by a commission in case same cannot be purchased by agreement,' approved June eighteenth, one thousand nine hundred and seven," which said amendment was approved April seventh, one thousand nine hundred and nine, and is known as chapter fifty-two, page seventy-four, of the pamphlet laws of one thousand nine hundred and nine.

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

Appropriation for armory at Salem.

1. The sum of twenty-five thousand dollars, or so much thereof as may be necessary, be and the same hereby is appropriated out of the State fund, when included in any annual or supplemental appropriation bill, for the erection and construction of an armory at Salem, Salem county, pursuant to chapter two hundred and fifty-four, page six hundred and forty-four, of the laws of

one thousand nine hundred and seven, as amended by chapter fifty-two, page seventy-four, of the laws of one thousand nine hundred and nine.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 227.

An Act to incorporate the borough of Laurel Springs in the county of Camden.

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

Corporate name.

1. The inhabitants of that portion of the township of Clementon, in the county of Camden, hereinafter mentioned and described, are hereby constituted and declared to be a body corporate in fact and in law by the name of "The Borough of Laurel Springs," and as such shall be governed by the general laws of this State relating to boroughs.

Boundary lines defined

2. The boundaries of such borough shall be as follows:

Beginning at the east corner of W. Hunt's meadow at White Horse pike, east along said pike to Linden avenue, thence west along Linden avenue to the east line of plan number one, Laurel Springs; thence southwest along the line of said plan to the line of Laurel Lake creek; thence west along the line of said creek and Laurel Lake to Laurel avenue, west Laurel Springs; thence northeast along Laurel avenue to stream intersecting Laurel avenue about fifty feet, more or less, northeast from Elm avenue; thence east along the line of said stream to east line of R. Kaighn's; thence northeast along R. Kaighn's line to W. Hunt's line; thence east along W. Hunt's line to the place of beginning at the White Horse pike.

Referendum.

3. This act shall take effect immediately, provided it shall not operate to affect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have been accepted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty (30) days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held between the hours of one (1) P. M. and nine (9) P. M. on a day to be fixed by the township clerk of the township of Clementon, in the county of Camden, at Fire Hall No. 2, Laurel Springs, in the township of Clementon, in Camden county. The clerk of the said township shall cause public notice of the time and place of holding said election to be given by advertisements signed by himself and set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to such election. The said public notice must be given by said township clerk within eighteen (18) days after the approval of this act, and upon his failure so to do, then any three resident taxpayers within the above-described territory may cause such notice to be given, and such election shall be held in accordance with such notice. Such election shall be held at the time and place so appointed and be conducted by the present board of registry and elections of this district of the township of Clementon, in Camden county.

Special election.

Notice.

Time for giving.

Election how conducted.

Registry.

Said election shall be by ballot. The registry of voters used at the last general election shall be used at this election and the said board of registry and elections shall meet one week next preceding the said election at the place where the same is to be held from one o'clock P. M. to nine o'clock P. M., for the purpose of revising and correcting the registry lists in the manner provided under the

general election laws. Public notice of such meeting shall be given by the said board of registry and elections at the time and in the same manner as notice of said election. The said board of election shall also provide the necessary ballots to be voted at such election, upon which shall be printed the proposition with instructions to the voter in the following form:

Ballots.

If you favor the proposition printed below, make an × mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto make an × mark in the square to the left of and opposite the word "No."

	Yes.	Shall an act entitled "An act to incorporate the borough of Laurel Springs, in the county of Camden" be adopted?
	No.	

If the voter makes an × mark in black ink or black pencil in the square to the left of and opposite the word " Yes," it may be counted as a vote in favor of such proposition.

If the voter shall make an × mark in black ink or black pencil in the square to the left of and opposite the word " No," it may be counted as a vote against such proposition, and in case no mark shall be made in the square to the left of and opposite either the word "Yes" or " No," it shall not be counted as a vote either for or against such proposition.

Result made known.

The officers holding said election shall immediately at its close certify in writing under their hands in duplicate the result thereof; one of which certificates shall be filed forthwith with the clerk of the township of Clementon and one with the clerk of the county of Camden. The county board of elections shall proceed to canvass and determine the vote cast at said election at the time and in the manner provided by law and a statement of

Canvass by county board.

Statement filed.

the total result of said canvass shall be filed in the county clerk's office, and county clerk shall thereupon forward to the Secretary of State and the clerk of the township of Clementon respectively, a certified copy of such statement.

Approved April 2, 1913.

CHAPTER 228.

An Act to annex a portion of the township of Midland, in the county of Bergen, to the borough of Delford in said county.

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

Boundaries of portion of Midland Township annexed to Delford.

1. All that portion of the township of Midland, in the county of Bergen, described as follows:

Beginning at a point in the westerly line of the borough of Delford where the same is intersected by the northerly line of a tract of land conveyed to the River Edge Heights Company by Frederick C. Becker and wife, by deed dated October tenth, one thousand nine hundred and seven, and recorded in the Bergen county clerk's office in book 675 of deeds, page 411, &c., running thence (1) westerly, along the northerly line of the aforesaid tract to the northwesterly corner thereof; thence (2) westerly, parallel with Midland avenue, to the centre line of Spring Valley road; thence (3) northerly, along the centre line of said Spring Valley road to the junction point of the same with the centre line of Ridgewood avenue; thence (4) westerly, along the centre line of Ridgewood avenue to the junction point of the same with the centre line of the road to Westwood, known as Forest avenue; thence (5) northerly, along the centre line of the road to Westwood, known as Forest avenue, the various courses thereof, to the point where the same is intersected by the centre line

of Soldier Hill road; thence (6) easterly along the centre line of Soldier Hill road, to the junction point of the same with the westerly line of the borough of Delford; and thence (7) southerly, along said westerly line of the borough of Delford, to the point or place of beginning, be set off from the said township of Midland and annexed to and made a part of the borough of Delford, in the county of Bergen.

Referendum

2. This act shall take effect immediately; *provided, however*, it shall not operate to affect such annexation of the territory herein described to the borough of Delford until it shall have been accepted by a vote of a majority of the qualified voters of the said borough of Delford voting thereon at a special election to be held within said borough on the sixth day of May, one thousand nine hundred and thirteen, between the hours of six A. M. and seven P. M. of said day, at a place within said borough, to be fixed by the clerk of said borough. The clerk of said borough shall cause public notice of the time and place of holding said election to be given by advertisement signed by himself and set up in at least ten public places within said borough of Delford and published in one or more newspapers circulating therein, at least ten days prior to said election, and said clerk shall provide for each elector voting at such election ballots to be printed or written or partly printed and partly written on which shall be printed the word "for" and the word "against" above and immediately preceding the title of this act, and if the word "for" be marked off or defaced upon the ballot it shall be counted as a vote against the acceptance of said act, if the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such

Special election.

Notice of

Ballots.

Election, how conducted.

election shall be held at the time and place so appointed and be conducted by the election officers of the election district of the borough of Delford, and official ballots and envelopes shall be used at said election.

Registry.

3. The register of voters within said borough used at the general election next preceding the holding of such special election shall be used for the purpose of conducting such special election. It shall not be necessary for the board of registry and elections in said borough to make a new registry of voters for such special election, but only to revise and correct the register made for the last general election, and for that purpose the said board shall meet at such place within the said borough as shall be designated by the clerk of said borough one week next preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places of said borough, at least ten days before the date of such meeting. Said meeting of the board of registry and elections shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of that day for the purpose of revising and correcting the register and adding thereto the names of all persons entitled to vote within said borough at said special election who shall appear in person before them and establish to the satisfaction of the majority of the board that they are entitled to vote at said election or who shall be sworn by a written affidavit of a voter residing in said borough to be entitled so to vote; a separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him; and on the day following such meeting one copy of such register shall be delivered to the chairman of the county board of elections of Bergen county to be filed by said board, and one copy shall be retained for use by said board of election at such special election.

Revised register.

4. The officers holding such election shall make returns of the result thereof to the clerk of the county of Bergen and to the council of the borough of Delford by a statement in writing under their hands, and the same shall be entered at length on the minutes of said borough council. Result.

5. Immediately thereafter, provided the result of said election shall be in favor of the acceptance of said act, a copy of the statement of said result, certified by the clerk of the borough of Delford, shall be delivered by him to the clerk of the county of Bergen, who shall cause the same to be filed in his office and thereupon, but not otherwise, this act shall in all respects be operative. Statement filed.

Approved April 2, 1913.

CHAPTER 229.

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 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.

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

1. The provisions of the act to which this act is a supplement and the various supplements thereto and amendments thereof be and the same are hereby extended to include all cases where any tax, assessment, water rate or water rent shall have been levied or imposed or attempted to be levied or imposed on any land in any town, town- Provisions of act extended.

ship, borough or other municipality of this State, except cities, subsequent to the passage of the act to which this act is a supplement, and where such tax, assessment, water rate or water rent shall remain unpaid and in arrears for the period of one year.

Jurisdiction of commissioners.

2. Commissioners heretofore appointed, as well as those hereafter to be appointed under the provisions of the act to which this act is a supplement be and they hereby are vested with jurisdiction in the cases included within this act as well as the cases included within the act to which this act is a supplement.

3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

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

Approved April 2, 1913.

CHAPTER 230.

An Act to repeal an act entitled "An act to repeal sundry acts relative to the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water 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 April twenty-first, one thousand nine hundred and eleven, and also to repeal the act amending said act, approved April second, one thousand nine hundred and twelve, and known as chapter three hundred and ninety-one of the Pamphlet Laws of nineteen hundred and twelve.

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

1. An act entitled "An act to repeal sundry acts relative to the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water 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 April twenty-first, one thousand nine hundred and eleven, is hereby repealed. Act repealed.

2. The act entitled "An act to amend an act entitled 'An act to repeal sundry acts relative to the settlement and collection of arrearages of unpaid taxes, assessments and water rates or water rents, Act repealed.

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 April twenty-first, one thousand nine hundred and eleven.'' and Approved April second, one thousand nine hundred and twelve, and known as chapter three hundred and ninety-one of the Pamphlet Laws of one thousand nine hundred and twelve, is hereby repealed.

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

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

Approved April 2, 1913.

CHAPTER 231.

An Act to extend the territorial boundaries of the borough of Beach Haven, in the County of Ocean, by the annexation of a portion of the township of Long Beach, in said county.

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

Boundaries of portion of Long Beach Township annexed to Beach Haven.

1. All that land and real estate situate, lying and being in the township of Long Beach, in the county of Ocean, and bounded and described as follows, to wit: Beginning at a point in the low water-mark of the Atlantic ocean where same is intersected by the center line of Chatsworth avenue as laid down on the plan of the Beach Haven Realty Company, filed in the office of the county clerk of said county of Ocean, said point being the southeasterly corner of the present limits of the said borough of Beach Haven; and extending

thence (1) along low water-mark of the Atlantic ocean, the general course being south thirty-six degrees and forty-six minutes west about thirty-nine hundred feet to the southerly line of lands formerly of Thomas P. Sherbourne, now of the Beach Haven Realty Company, as indicated on their plan, filed as aforesaid; thence (2) along the said line south fifty-three degrees and nine minutes west forty-three hundred feet more or less to the main channel of Little Egg Harbor bay; thence (3) along the said channel in a northerly direction forty-nine hundred feet more or less to a point where the said channel is intersected by the northerly line of the aforesaid lands formerly of Thomas P. Sherbourne as extended westwardly to said channel, said point being the southwesterly corner of the limits of the borough of Beach Haven as originally laid out; thence (4) along the said line north fifty-three degrees and eleven minutes east thirty-one hundred feet more or less, crossing the bay, Mordecai island and Liberty thoroughfare to high water-mark of said Liberty thoroughfare on the beach; thence (5) southwardly along the said high water-mark of Liberty thoroughfare nine hundred and twenty-five feet more or less to the intersection of the same with the center line of Chatsworth avenue aforesaid, being the southwesterly corner of the present limits of the said borough of Beach Haven; thence (6) along the said center line of Chatsworth avenue north fifty-three degrees and fourteen minutes east one thousand nine hundred and sixty feet more or less to the place of beginning; be separated from the said township of Long Beach and annexed to the said borough of Beach Haven, so that the same shall be hereafter a part of and within the territorial limits of said borough.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 232.

A Supplement to an act entitled "An act concerning disorderly persons" (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight.

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

Use of hat pins.

1. It shall be unlawful for any person to wear in any public place any device or thing attached to his or her head, hair, headgear or hat which device or thing is capable of lacerating the flesh of any other person with whom it may come into contact, unless the portion thereof which is capable of lacerating flesh is sufficiently guarded against the possibility of its so doing.

Penalty.

2. Any person who shall violate this act shall be deemed a disorderly person and upon conviction shall be subject to a fine of not less than five dollars nor more than twenty dollars for each offense, one-half of which fine shall be paid to the person making the complaint.

3. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 233.

An Act to grant and release the title and interest of the people of the State of New Jersey in and to certain real estate of which Ellen Hanlon died seized in the city of Newark, county of Essex and State of New Jersey.

Preamble.

WHEREAS, Matthew Hanlon, late of the city of Newark, county of Essex and State of New Jer-

sey departed this life on the sixteenth day of August, one thousand eight hundred and ninety, seized of the following described tract of land: Beginning at the south corner of a certain tract of land which one Pool purchased of Thomas H. Stephens, dated May 7, 1849, in Book Z 6 of deeds for Essex county, on page 539; thence along north side of Kinney street west 25 feet; thence north 33 degrees east 104 feet 3 inches or one-half the way to Garden street; thence along a line midway between said street 25 feet; thence along a line parallel with the second course, 104 feet 6 inches to the beginning. Being lot No. 9 on map of Whitaker property, formerly known as such;

AND WHEREAS, The said Matthew Hanlon died on the sixteenth day of August, one thousand eight hundred and ninety, intestate, leaving him surviving his widow, Ellen Hanlon, as his only heir at law;

AND WHEREAS, The said Ellen Hanlon died seized of said premises on the twenty-sixth day of April, one thousand eight hundred and ninety-one, intestate, and leaving no issue or heirs at law;

AND WHEREAS, The said land was duly sold by the city of Newark to David Cody, under and by virtue of the provisions of chapter one hundred and twelve of the laws of one thousand eight hundred and eighty-six, 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 assessments," passed March thirtieth, one thousand eight hundred and eighty-six, and the supplements thereto, for the sum of three hundred and forty-eight dollars and forty-five cents;

which said lands are more particularly described above;

AND WHEREAS, The said Ellen Hanlon left no person or persons capable of inheriting the said lands, tenements or hereditaments;

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

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

Certain property released to David Cody.

1. All the estate, right, title and interest of the State of New Jersey, or the people of the said State in, to and upon the above described lot or tract of land and premises whereof the said Matthew Hanlon and Ellen Hanlon died seized, with the appurtenances thereunto belonging, or in anywise appertaining, be and the same is hereby granted and released unto the said David Cody, his heirs and assigns forever.

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

Approved April 2, 1913.

CHAPTER 234.

An Act to amend an act 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 and also supplement to an act approved June seventh, one thousand nine hundred and eleven," approved June seventh, one thousand nine hundred and eleven.

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

Township recorder.

1. In any township in this State having a population of more than three thousand five hundred in-

habitants, as shown by the official State or United States census, the township committee may, in its discretion, appoint some fit person residing in such township to be recorder, to hold office for three years, and may fix the compensation to be paid such recorder not to exceed four hundred dollars per annum in lieu of all fees allowed by law in such cases; *provided,* that in any township having a population of six thousand or more inhabitants, such salary may be fixed at an amount not exceeding one thousand dollars per annum; and all fees collected by such recorder shall be accounted for to the township committee and paid over to the township treasurer.

Term; salary

Proviso.

2. Such recorder shall have the same jurisdiction, power and authority in criminal matters, cases of bastardy, relief, removal and settlement of the poor, breaches of the peace, vagrancy and disorderly conduct and violation of municipal ordinances as is by law conferred upon justices of the peace of such municipality.

Jurisdiction, etc.

3. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 235.

An Act relating to the investment of the sinking fund in incorporated towns in this State.

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

1. It shall be lawful for the commissioners of the sinking fund in all incorporated towns in this State to invest said fund, or any part thereof, in first class county bonds, school bonds or city bonds, issued in pursuance of law, and bearing not less than four per centum interest per annum, provided that such bonds become due and payable

Investments of towns for sinking fund.

before the maturity of the bonds for which such sinking fund was established.

Repealer.

2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

3. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 236.

An Act to annex to the borough of Riverside a portion of the borough of Delford, in the county of Bergen and State of New Jersey.

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

Boundaries of part of Delford annexed to Riverside.

1. All that portion of the borough of Delford, in the county of Bergen, included in the following boundaries, to wit:

Beginning at the junction point of the center line of Midland avenue with the westerly line of the borough of Delford; running thence (1) northerly along the westerly line of the borough of Delford, to the point where the same is intersected by the northerly line of a tract of land conveyed by Frederick C. Becker and wife to the River Edge Heights Company, by deed dated October 10th, 1907, and recorded in the Bergen county clerk's office in Book 675 of Deeds, page 411, &c.; thence (2) easterly along the northerly line of said land conveyed to the River Edge Heights Company and along the northerly line of land conveyed by Clarence Mabie to Henry Young and wife, by deed dated November 23rd, 1900, and recorded in the Bergen county clerk's office in Book 514 of Deeds, page 615, to Linden avenue; thence (3) easterly crossing Linden avenue and along the northerly line of land conveyed by Elizabeth L. Barnes to Mary E. Barnes, wife of Frank T. Barnes, by deed dated July 10th, 1883, and re-

corded in the Bergen county clerk's office in Book J-11 of Deeds, page 595, to the Hackensack river; thence (4) southerly along the Hackensack river to the northerly line of the borough of Riverside; thence (5) westerly along said northerly line of the borough of Riverside to the center line of Linden avenue; thence (6) southerly along the center line of Linden avenue, to the junction point thereof with the center line of Midland avenue; and thence (7) westerly, along the center line of Midland avenue to the point of beginning, is hereby set off from said borough of Delford and annexed to and made a part of the borough of Riverside, in the county of Bergen.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 237.

An Act to release the title and interest of the people of the State of New Jersey in and to certain real estate situate in the township of Middletown, in the county of Monmouth, and State of New Jersey, of which Charles W. E. Carlson died seized.

Preamble.

WHEREAS, Charles W. E. Carlson died in the year one thousand nine hundred and eleven seized of the property hereinafter described, leaving him surviving his lawful widow, Ida P. Carlson, but without leaving him surviving any heirs, issue or legal representatives, by reason of which the said property hereinafter described has escheated to the State;

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

Title, etc., in certan land in Middletown township released to Ida P. Carlson.

1. All the right, title, interest, property, claim or demand of the State of New Jersey in and to all those certain lots, tracts, or parcels of land,

situate, lying and being in the township of Middletown, in the county of Monmouth and State of New Jersey, and in the subdivision of part of the Conover farm, so-called, made for Shoal Harbor Industries, a corporation, by Frank Osborn, surveyor, a map of which subdivision, called "Ocean View," is on file in the office of the clerk of Monmouth county, and designated on said map as lot seven (7) in block 25, being twenty-five (25) feet front on the northerly side of Monmouth avenue by one hundred and forty-eight (148) in depth, and lots five (5) and six (6) in block 25, being fifty (50) feet front on the northerly side of Monmouth avenue by one hundred and forty-eight (148) feet in depth; which said premises were conveyed to said Charles W. E. Carlson, deceased, in his lifetime by Shoal Harbor Industries, a corporation, by two certain deeds, the first dated June twenty-ninth, one thousand nine hundred and eight, recorded in the clerk's office of the county of Monmouth, in book 854 of deeds, on pages 42, etc., and the second deed dated April third, one thousand nine hundred and nine, recorded in the clerk's office of Monmouth county in book 854 of deeds, on pages 411, etc. Together with the hereditaments and appurtenances thereunto belonging, is hereby remised, released, conveyed and confirmed unto the said Ida P. Carlson, widow of the said Charles W. E. Carlson, deceased, and to her heirs and assigns forever, provided that the recitals of this act are true.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 238.

An Act to amend an act entitled "An act concerning cities in this State," approved March seventeenth, one thousand eight hundred and eighty-two.

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

Section 1 amended

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

Chief engineer.

1. In all cities of this State which now have or hereafter shall have the care of streets, sewers and water vested in a single municipal board, such board shall have power to elect a chief engineer, who shall have been a resident of such city for at least two years prior to his election, and be a civil engineer in active practice in either public or private capacity at the time of such election; such officer so elected shall have full charge of all matters pertaining to the business of a civil or hydraulic engineer in relation to any public improvement or other work proper to be managed under the direction of such municipal board; such officer shall receive such salary as shall be fixed by said board appointing him, and such board shall have power to remove him for malfeasance in office or incompetency, after proper trial and opportunity to be heard in his defense.

Qualifications.

Duties.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 239.

An Act to permit boroughs to sell and dispose of portions of lands dedicated for park purposes to railroad companies and devote the proceeds of said sale to the maintenance of the balance of such dedicated lands for park purposes.

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

Boroughs may deed to railroads portions of park property.

1. Whenever, in any borough in this State, there has been a dedication or apparent dedication of lands for park purposes by the filing of a map or maps in the office of the clerk of the county in which said borough is situated, indicating an intention to use said lands for public or park purposes as distinguished from other lands shown on the same map, and such lands and premises have thereafter been conveyed to said borough to be used by said borough or citizens thereof for park purposes, and the lands and premises so dedicated for park purposes are contiguous or adjacent to the lands and right of way of any railroad company, said borough shall have the power to convey by deed executed and delivered by its mayor, after due authorization by resolution by its borough council, a portion of the said lands so dedicated for park purposes to said railroad company to be used by the said railroad company for the erection and maintenance upon said lands and premises of a railroad station or for the widening of the right of way of the said railroad company, or for any other purposes proper and appurtenant to the operation of the said railroad; *provided, however*, that in no case shall the lands and premises so conveyed to any such railroad company include an area of more than half of

Proviso.

the entire parcel of lands so dedicated for park purposes; *and provided, further,* that the proceeds of such sale by the said borough to said railroad company shall be set apart as a separate fund by the said borough, exclusively for the maintenance as a public park of the remainder of said lands and premises unsold and retained by the said borough as aforesaid. Proviso.

2. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 240.

An Act relating to the tenure of office of city marshals in cities of the first class.

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

1. The city marshals appointed or elected by municipal boards of cities of the first class in this State shall hold office during good behavior, and shall not be removed, discharged or reduced in pay or position except for inefficiency, incapacity, conduct unbecoming an employee or other just cause, and until the said officials shall have been furnished with a written statement of the reasons of such removal, discharge or reduction, and shall have been given a reasonable time to make a written answer thereto, nor shall such removal, discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the board of officials appointing the said city marshal at a hearing upon reasonable notice to the person charged, at which time he may be represented by counsel and offer testimony of witnesses or other evidence in his behalf. Tenure of city marshals; removal.

2. All acts or parts of acts, either general or Repealer.

special, inconsistent with the provisions of the foregoing, are hereby repealed.

3. This act to take effect immediately.

Approved April 2, 1913.

CHAPTER 241.

An Act to annex to the borough of Hightstown a part of the township of East Windsor, in the county of Mercer.

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

Boundaries of part of East Windsor township annexed to Hightstown.

1. All that portion of the township of East Windsor, in the county of Mercer and State of New Jersey, lying within the following boundaries, to wit:

Beginning at a point in the center of the "Old York road" where Hutchinson's road intersects the same; thence (1) north, sixty-five degrees and thirty minutes west, four chains and eighty-nine links along the center of the said Hutchinson's road to a point opposite the dividing line between the lands of John T. Hutchinson and the Hermance farm (formerly); thence (2) still following the center of the aforesaid road north, sixty-one degrees and thirty minutes west, thirteen chains and sixty links to another point in said road opposite the dividing line between the Hermance farm (formerly) and Edward Fanshaw; thence (3) still following the said road north, fifty-one degrees and fifteen minutes west, fifty-two chains and sixty links to the center of the Windsor stone road or stone road at the intersection of Hutchinson's road; thence (4) north, three degrees east, twenty-five chains and eighty-seven links across lands of Thomas estate and George Croshaw and others to a corner near the dwell-

ing of George Croshaw; thence (5) north, thirty-three degrees and forty-five minutes east, forty-six chains and forty-six links to the center of the road from Hightstown to Princeton, across lands of George Croshaw, Smith, Ewart, Joseph Shinn and Thomas Gordon; thence (6) north, forty-four degrees east, twenty-five chains and seventy-eight links, across lands of Redford Jobs to the north-east corner of the Hightstown sewerage disposal plant; thence (7) north, eighty-four degrees east, sixty chains and forty links, across lands of Redford Jobs, Thomas Bowers and Bergen Wicoff, to the center of the stone road from Hightstown to Cranbury; thence (8) south, eighty-one degrees and thirty minutes east, thirty-two chains and seventy-eight links, across lands of Bergen Wikoff to the center of the road from Hightstown to Cranbury station; thence (9) south, nine degrees west, forty-five chains and eighty-one links, across lands of Corn and James Davison to the center of the stone road from Hightstown to Freehold; thence (10) south, ten degrees west fifty-two chains and seventy-eight links, across lands of James Davison and Wilson brothers to the center of the back road to Hightstown over Peddie bridge; thence (11) south, thirty-seven degrees and fifteen minutes west, along the center of said road to the center of the Etra stone road at the intersection of the two roads, nineteen chains and eighty-six links; thence (12) south, seventy-six degrees and forty-five minutes west, fifty-two chains and seventy-six links, across lands of Peiffier, Stephen Ely, Walter C. Black and others to the beginning, is hereby set off from said township of East Windsor, in the county of Mercer, and annexed to and made a part of the borough of Hightstown, in said county of Mercer.

Referendum.

2. Provided this act shall not operate to effect such annexation of the territory herein described to the borough of Hightstown, until it shall have been accepted by a vote of the majority of the

Special election.

qualified voters of the territory embraced within boundaries hereinbefore mentioned at a special election to be held within said borough within thirty days from the approval of this act, between the hours of six A. M. and seven P. M. of said day fixed for the election, at a place within said territory to be fixed by the clerk of the township of East Windsor. The clerk of said township shall, immediately upon the service upon him of a certified copy of this act, cause public notice of the time and place of holding such election to be given by notice signed by himself and posted in at least five public places within said territory and published in one or more newspapers printed or circulating therein at least ten days prior to such election; and said clerk shall provide for each elector voting at such election, ballots to be printed or written, or partly printed, or partly written on which shall be printed the words "For the adoption of an act to annex to the borough of Hightstown a part of the township of East Windsor, in the county of Mercer," and the words "Against the adoption of an act to annex to the borough of Hightstown a part of the township of East Windsor, in the county of Mercer"; and if the words "For the adoption of an act to annex to the borough of Hightstown a part of the township of East Windsor, in the county of Mercer," be marked off or defaced upon the ballot, it shall be counted as a vote against the acceptance of said act; if the words "Against the adoption of an act to annex to the borough of Hightstown a part of the township of East Windsor, in the county of Mercer," be marked off or defaced upon the ballot, the ballot shall be counted as a vote in favor of the acceptance thereof; and in case neither the words "For the adoption of an act to annex to the borough of Hightstown a part of the township of East Windsor, in the county of Mercer," or the words "Against the adoption of an act to annex to the borough of Hightstown a

Notice of.

Ballots.

part of the township of East Windsor, in the county of Mercer'' be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place fixed and be conducted by the election officers of the election district in which said township clerk calls the election, and no special form of ballot or envelope need be used. Such election shall be conducted and the vote canvassed in the manner provided by law for general elections. There shall be no registration for such election, but the board of election shall procure and use at such special election a certified copy of the register of voters in the last preceding election in the township of East Windsor and no person shall be entitled to vote whose name does not appear on the said register, and who shall not reside within the territory herein described. The officers holding such election shall make returns to the clerk of the township of East Windsor of the result thereof by a statement in writing under their hand, and the same shall be entered at length on the minutes of the township Committee of the said township of East Windsor and a copy thereof, certified by its clerk, shall be forthwith filed in the office of the county clerk of the county of Mercer.

Election, how conducted.

Registry.

Statement of election.

3. This act shall take effect immediately.

Approved April 2, 1913.

CHAPTER 242.

An Act creating the ''Fort Nonsense Park Commission,'' defining its powers and duties and appropriating funds for the purpose of the same.

WHEREAS, In the winters of 1777, 1779 and 1780, General George Washington, his staff and the Continental army encamped and made their

Preamble.

headquarters in and about the town of Morristown, in the county of Morris; and

WHEREAS, While so encamped, the army erected and constructed on one of the hills overlooking Morristown and the surrounding county, an octagonal earthwork or fort, commonly known as "Fort Nonsense," the embankments of which may be seen to-day; and

WHEREAS, The Washington Association of the State of New Jersey, has erected on said hill a monument to commemorate the site of said fort; and

WHEREAS, There is no spot more identified with the story of the Revolution and the personality of Washington than Morristown and its vicinity, and no place where it would be more appropriate to record in a proper and fitting manner the devotion and appreciation of the people of the State of New Jersey for George Washington; therefore,

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

Commission appointed.

1. The Governor of this State is hereby authorized and directed to appoint twenty-five persons, citizens and residents of this State, who shall constitute, and are hereby appointed and constituted a board of commissioners by the name and style of "Fort Nonsense Park Commission." The terms of office of such commissioners shall be at the pleasure of the Governor, and he is likewise authorized to fill any vacancies occurring in the said commission. No member of such commission shall receive any compensation for services as commissioner. Any ten of such commissioners shall constitute a quorum at any stated or specially called meeting.

Term.

Quorum.

Organization.

2. Such board of commissioners, and their successors, are hereby created a body politic, with power to sue and be sued, to adopt and use a common seal and to adopt by-laws to regulate its pro-

ceedings. Such commission shall annually choose from among its members a president, vice-president, treasurer and secretary, and appoint such other officers and employees as it may deem necessary to carry out the purposes of this act. It may also determine the duties and compensation of such appointees, subject to appropriation for that purpose by the Legislature, and shall make all reasonable rules and regulations respecting the appointment, compensation and removal of such employees not inconsistent with the laws of this State.

Assistants.

3. Such commission shall have power to select and locate such lands in or near the town of Morristown, commonly known as "Fort Nonsense," in the county of Morris and State of New Jersey, as may in their opinion be proper and necessary to be reserved for the purpose of establishing a State park.

Select lands for park.

4. The said commission shall have power to acquire, maintain and make available for use as a public park the lands located as aforesaid, and for such purpose shall have power to take in fee or otherwise, by purchase, gift, devise or eminent domain, the said lands, or any of them, and any rights, interests and easements therein. Deeds of conveyance for such lands shall be made to the said commission by its corporate name, and it shall be the duty of the said commission to preserve, care for, lay out and improve the said park and to make rules for the use and the government of the same.

Acquire property.

Duties.

5. The said commission shall have power and authority to acquire lands for the purposes mentioned in this act, and in case they shall be unable to agree with the owner or owners of any of such lands, or when by reason of the legal incapacity or absence of such owner or owners or for any other cause no agreement can be made for the purchase thereof, such lands shall be acquired and the compensation shall be acertained and paid in the man-

In case of disagreement acquire lands by condemnation.

ner provided by the general laws of this State regulating the ascertainment and payment of compensation for property condemned or taken for public uses, and subject to the procedure and practice prescribed by said laws; *provided, however,* that in fixing the compensation to be paid for such lands, no allowance or deduction shall be made on account of any real or supposed benefit which the parties interested may derive from said park or improvement for which such lands are to be taken, and the commission or any party may appeal from said award and such appeal from said award shall be heard and determined in the manner provided by said laws.

Proviso.

Expenditures.

6. The said commission is hereby authorized to expend such sums of money as may be appropriated from time to time for the necessary expenses of the said commissioners in carrying out the provisions of this act, and for the purposes of this act; the sum of twenty-five thousand dollars is hereby appropriated when included in the annual or supplemental appropriation bill for the purposes of carrying out the provisions of this act, including the acquisition of any lands selected or located as hereinbefore provided.

Amount.

Payments.

7. The Comptroller of the State of New Jersey shall, and he is hereby directed to draw his warrant in payment of all bills contracted by said commission for any of the purposes of this act, when approved by said commission, and the Treasurer of the State of New Jersey shall and he is hereby directed to pay all warrants so drawn, to the extent of the amount hereby or hereafter to be appropriated by the Legislature for the purposes of said commission.

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

Approved April 2, 1913.

CHAPTER 243.

An Act to amend an act entitled "An act concerning savings banks," approved May second, one thousand nine hundred and six.

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

Section 33 amended.

1. Section thirty-three of the act to which this act is an amendment is hereby amended to read as follows:

Legal investments.

33. No savings bank shall invest the moneys deposited with the same in any manner except as follows, to wit:

U. S. Securities.

I. In stocks or bonds or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof;

State bonds.

II. In the interest-bearing bonds of this State; or in any bonds authorized by the laws of this State to be issued by any commission appointed by the Supreme Court of this State, by virtue of any law of this State;

Bonds of foreign states.

III. In the bonds of any State in the Union that has not, within ten years previous to making such investment by any such bank, defaulted in the payment of any part of either principal or interest in any debt authorized by any law of such State to be contracted;

Municipal bonds.

IV. In the bonds of any county, township, municipality or school district of this State issued pursuant to the authority of any law of this State; *provided*, such county, township, municipality or school district shall not, within the five years next preceding, have defaulted in the payment of any

Proviso.

part of either principal or interest of any legal debt or obligation thereof; *and provided further,* the total indebtedness of any borough or village does not exceed ten per centum of its assessed valuation, and such school district bonds are by law charged upon all the property of the inhabitants of such district; or in any interest-bearing obligation issued by the county in which such bank is situated or by any city, town, township, borough or village in such county;

Proviso.

V. In the bonds of any city or county of any other State of the Union issued pursuant to the authority of any law of any such State; *provided,* no such city or county has, within ten years previous to making such investment, defaulted in the payment of any part of either principal or interest of any debt authorized by law of such State to be contracted; *and provided further,* the total indebtedness of any such city or county is limited by law to ten per centum of its assessed valuation;

City or county bonds of other states.

Proviso.

Proviso.

V. In first mortgage bonds issued, guaranteed or assumed by any railroad company, which has paid dividends of not less than four per centum per annum regularly on its entire capital stock for a period of not less than five years next previous to the purchase of such bonds, or in any consolidated mortgage bonds issued, guaranteed or assumed by any such company, authorized to be issued to retire the entire bonded debt of such company; or in the bonds of any railway terminal or dock company of this State, secured by first mortgage on terminal or dock property fronting on the Hudson river and having an assessed value for the purpose of taxation in excess of the amount of the entire issue of bonds, and used and occupied as a dock or terminal by any railroad company now operating in this State;

Railroad bonds.

Dock companies.

VII. In bonds secured by mortgages which shall be a first lien on real estate situate in this State, and worth at least double the amount loaned thereon, but not to exceed eighty per centum of

Bond and mortgage.

the whole deposits shall be so loaned or invested; but in case the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than thirty per centum of its actual value; and no investment in any bond and mortgage shall be made by any savings banks, except upon the report of a committee of at least three of the managers, and two members of which committee shall certify in writing to the value of the premises mortgaged, or to be mortgaged, according to their best judgment; such report shall be filed and preserved among the records of the bank;

VIII. In real estate strictly in accordance with the following provisions: Real estate.

(a) A plot whereon is erected, or may be erected, a building or buildings requisite for the convenient transaction of its business, and from portions of which not required for its own use, a revenue may be derived; the costs of such building or buildings and lot shall in no case exceed fifty per centum of the net surplus of such bank except with the written approval of the Commissioner of Banking and Insurance; *provided*, the limitations as to the cost of such lot and building contained in this subdivision shall not apply to or affect any such investment heretofore made by a savings bank organized under a special charter; Bank building. Proviso.

(b) Such as shall have been purchased or acquired by it at sales upon the foreclosure of mortgages owned by such corporation, or upon judgments or decrees obtained or rendered for debts due to it, or in settlements effected to secure such debts or in satisfaction of such mortgages; and all such real estate shall be sold by such bank within five years after the same shall have been so purchased, unless, upon application by such corporation to the Commissioner of Banking and Insurance, he shall extend the time within which such sale shall be made; the provisions of this section shall apply to all funds of any savings bank, including its reserve fund, and all investments of Property acquired by foreclosure. To apply to all funds.

money and sales and transfers of securities may be made in the manner provided and made lawful in this act, notwithstanding any provision in any special charter contained limiting the number of trustees or managers who shall act in the investment of moneys and the sale or transfer of stocks or securities.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 244.

An Act validating proceedings for the issuance of notes or bonds or both, by school districts.

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

Certain proceedings in school districts validated.

1. All proceedings heretofore had in any school district in this State, either by the board of education of such district or by the legal voters thereof, authorizing the issuance of notes or bonds or both for the purpose of purchasing or taking and condemning land for school purposes, or building a schoolhouse or schoolhouses, or erecting additions, alterations, repairs or improvements in or upon any schoolhouse, and the land upon which the same shall be located, and of purchasing school furniture and other necessary equipment, are hereby ratified, validated, approved and confirmed, notwithstanding the amount of said notes and bonds or both so authorized for the purpose aforesaid are in excess of any limitation placed upon them by any law; *provided, however*, that a majority of the legal voters voting upon any proposition to issue such notes or bonds or both voted in favor of issuing such notes and bonds.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 245.

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

Preamble.

WHEREAS, There is now maintained as a part of the State Normal School at Trenton a Model School under regular teachers, in which the pupils of the Normal School shall have the opportunity to observe and practice approved methods of instruction and discipline; and,

WHEREAS, Said Model School now maintains a high school course, and there is no law which will permit a school district which does not maintain a high school to send its pupils to said Model School and to pay a tuition fee therefor in the manner now provided by law for the payment of tuition fees by one district to another district;

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

Children in district schools admitted to model school.

1. Any child who shall have completed the course of study pursued in the schools in the district in which he or she shall reside, may, with the consent of the board of education of said district and the board having the control and management of the Model School at Trenton, or of the Model School in connection with any other State Normal School, be admitted to such school. Said boards shall determine the amount to be paid for the education of such child, and the

Terms.

board of education of the district in which such child shall reside shall issue an order for said amount, signed by the president and district clerk or secretary of the board of education in favor of the custodian of the school moneys of such model school, which order shall be paid by the custodian of the school moneys of the district in which such child resides out of any moneys in his hands available for the current expenses of said district.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 246.

An Act to amend an act entitled "An act to incorporate the city of Woodbury," approved March sixteenth, one thousand eight hundred and seventy.

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

Section 36 amended.

1. Section thirty-six of the act to which this is an amendment is hereby amended to read as follows:

Sidewalks and gutters at expense of lot owners.

36. The council shall have power, by ordinance, to provide for the construction, curbing, re-curbing, paving, relaying and repairing of sidewalks or gutters on any and all streets or public highways, or portions thereof, in the city of Woodbury, at the cost and expense of the owner or owners of the lot or lots of land in front of which any such improvement is proposed to be made; and to prescribe the kind of material to be used for that purpose, and the manner of construction of same.

Section 37 amended.

2. Section thirty-seven of the act to which this is an amendment is hereby amended so as to read as follows:

Owner neglecting, improvements made by council.

37. If after the passage of any such ordinance, the owner or owners of the lot or lots of land shall neglect for the space of thirty days to make the improvement to the sidewalks thereof by said ordinance directed and required, it shall be lawful for the council to cause such improvements to be made. Before proceeding to make any such improvement, it shall be the duty of council to cause notice of such contemplated improvement to be given to the owner or owners of the lot or lots of land thereby affected; such notice shall contain a description of the lot or lots of land affected sufficiently definite in terms to identify the same as well as a description of the required improvement, and a notice that unless the said improvement shall be completed within thirty days after service thereof, it is the intention of said city to make said improvement, or cause the same to be made. Such notice shall be served upon the owner or owners of the lot or lots of land thereby affected in the following manner: by personal service or by mailing to his or her post-office address or by publication, for one insertion, in a newspaper printed and circulating in the city of Woodbury.

Notice to owner.

Section 38 amended.

3. Section thirty-eight of the act to which this is an amendment is hereby amended so as to read as follows:

Cost assessed.

38. It shall be lawful for the council, by resolution, to assess the cost of construction, curbing, re-curbing, paving, relaying and repairing of sidewalks or gutters upon the owner or owners of the lot or lots of land in front of which any such improvement is made; such resolution shall state the name of the owner or owners of each lot, as nearly as the same can be ascertained, and a description of the lot or lots of land affected sufficiently definite in terms to identify the same, and the amount assessed thereon, and it shall be the duty of the city clerk of said city to forthwith deliver a certified copy of such resolution to the receiver of taxes in such city, who shall at once enter the same

Record.

in an orderly manner in a book to be provided for that purpose to be known and designated as "sidewalk assessments," and all such assessments shall, from the date of the passage of such resolution, be and remain a first lien upon the lot or lots of land upon which they are made until they shall be paid, notwithstanding any mistake in the name or names of any owner or owners, or any omission to name any owner or owners who are unknown, and notwithstanding any lack of form in the assessment or other proceeding which does not impair the substantial rights of the person, or persons, having a lien upon or interested in said respective lot or lots of land, and said assessments shall bear interest at the rate of six per centum per annum from the date thereof, and payment thereof shall be enforced by selling the lot or lots of land, for the term, or in fee, and in the manner provided for the sale of lands for non-payment of taxes under the provisions of an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three, and the acts supplemental thereto and amendatory thereof; and the purchaser shall be entitled to the same certificate and may enjoy the same lien, title and benefits, and may perfect his title on like notice as in cases of sale of lands for delinquent taxes under said act.

Assessment a lien.

Interest.

Enforcement of lien.

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

Repealer.

Approved April 3, 1913.

CHAPTER 247.

An Act to amend an act entitled "A supplement to an act entitled 'An act concerning the investment of moneys and the retention of investments in certain cases,' approved March twenty-third, eighteen hundred and ninety-nine," which supplement was approved April eighth, one thousand nine hundred and three.

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

Section 1 amended.

1. Section one of the act to which this is an amendment is hereby amended so as to read as follows:

Legal investments by executors, etc.

1. Any executor, administrator, guardian or trustee whose duty it may be to loan money intrusted to him, in addition to the securities in which he may invest the same under the provisions of the act to which this is a supplement, may invest the same in any loans or securities in which savings banks of this State may invest their funds by the provisions of any general law of this State.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 248.

An Act for the protection of striped bass.

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

Taking rockfish by net.

1. It shall be unlawful for any person to take, catch or kill any striped bass, commonly called rockfish, from or in any of the salt or fresh waters

Season.

Penalty.

of this State, by means of a net, except from November fifteenth, to March first, both dates inclusive, in each year; and it shall also be unlawful to catch, kill or have in possession, at any time, any striped bass measuring less than ten inches in length, under a penalty of twenty dollars for each offense.

Enforcement of law.

2. The procedure for enforcing the provisions of this act shall be the same in all respects as provided for in an act of the Legislature entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

3. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 249.

A Supplement to an act entitled "An act for the taxation of the property and franchises of street railroad corporations using or occupying public streets, highways, roads, lanes or other public places in this State," approved May twenty-third, one thousand nine hundred and six, and by such supplement providing for the assessment and collection of a franchise tax in cases where street railway systems are operated by steam railroad companies, or operated over and upon the tracks of steam railroad companies.

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

All street railways to pay annual tax on gross receipts.

1. The provisions of the act to which this is a supplement respecting an annual franchise tax upon the annual gross receipts of street railroad

corporations shall apply to street railway systems in all municipalities of this State which are operated by a steam railroad corporation or which are operated upon or over the tracks of any steam railroad company occupying the streets and highways of any municipality of this State. It being the intention of this act that every such street railway system shall pay the same annual franchise tax as is provided for by the act to which this act is a supplement.

Repealer.

2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed to the extent of such inconsistencies and this act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 250.

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 (Revision of 1913).

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

Application for commitment.

1. A person alleged to be insane, and who is not confined on a criminal charge, may be committed to and confined in any institution for the care and treatment of the insane in this State, if the condition of such person is such that he should be under immediate restraint and confinement, when such alleged insane person is unable to care for himself and is sufficiently dangerous to make it necessary for the welfare of such person or of others that such person should be so cared for, upon filing with the medical director or other head officer of said institution an application in writing, hereinafter described, by a person interested

By whom made.

in his admission, by reason of relationship to such person, or if there is no relative so closely in contact and in care of such person as to be sufficiently interested to make such application, then by the person having the charge and care of said person alleged to be insane, or by the mayor or police captain of any municipality in this State where such person resides or may be, upon an order made by the judge of a court of record of the city or county in which the said insane person resides or may be, directing the institution of an inquiry as to the sanity of the said person, and directing that proofs be taken at said inquiry as to the mental condition of the said person at the time and place and before the judge of the county Court of Common Pleas or Circuit Court judge in the county where said person resides or may be, within fifteen days from the date of commitment and admission of the said alleged insane person, to the institution designated in said order, which Judge of any court of record. as aforesaid, shall have authority to issue a capias directed to any peace officer of the county directing and authorizing him to take and convey such person alleged to be insane to the proper institution to be designated in such warrant upon the payment of the costs and expenses of such preliminary proceeding. Said inquiry may be adjourned to a subsequent date and place to be designated in the order of continuance, as hereinafter provided, to be signed by the judicial officer having jurisdiction to hear the same, at the time and place designated in the order instituting the inquiry; *provided, however,* that in case the condition of the person alleged to be insane is such that he should be placed in such institution for the insane before the order of temporary commitment instituting the said inquiry can be obtained from the proper judicial officer as aforesaid, then and in that case the party making the said application may obtain said order of temporary commitment instituting said inquiry

Inquiry as to mental condtion.

Proviso.

and file the same with the medical director or other head officer of such institution for the insane at any time within forty-eight hours after the admission to such institution of said person who is authorized to receive said person alleged to be insane in such case, without said order of temporary commitment instituting said inquiry. In case such order is not filed with the said medical director or other head officer of such institution within the said forty-eight hours, it shall be the duty of the said medical director or other head officer to obtain forthwith, from a judicial officer qualified to act in the county in which the institution is situated in which said person is confined, the order of temporary commitment providing for the institution of the said inquiry. It shall also be the privilege of the said person alleged to be insane to apply to any judicial officer qualified to act either in the county from whence he came to said institution, or in the county in which the institution is located, for said order of temporary commitment instituting said inquiry, and it shall be the duty of the medical director or other head officer to assist said person, so confined, in communicating by mail, or otherwise, with such relative, next friend, or attorney as he may request, who is authorized to make application for order of temporary commitment instituting said inquiry to such judicial officer having jurisdiction in the county from which such confined person came to said institution or having jurisdiction in the county in which such institution is located; *provided, however*, that the judicial officer designated in any order or commitment made upon application by party signing the original application for temporary confinement of said person instituting said inquiry, if any, or upon application of the medical director or other head officer, shall have sole jurisdiction to hear the proofs and make the final order in the matter; *provided, however*, that no temporary commitment pending inquiry and taking of proofs as to

Order for temporary commitment.

Right of alleged insane person.

Proviso.

Proviso.

the insanity of any person shall be made to any private institution for the care and treatment of the insane in this State.

Penalty for not filing order.

2. In case of the temporary confinement of any person alleged to be insane in any institution in this State, before order instituting the inquiry has been made, if the interested person making such application for admission or confinement to such institution shall fail to obtain and file with the proper medical director or other head officer the order authorizing the temporary detention and confinement and providing for the institution of the inquiry as to his sanity, he shall be subject to a penalty of one hundred dollars, to be recovered in an action of debt payable to the State Treasurer or county collector, as the case may be, at the suit of the medical director or other head officer of the institution in whose charge said person alleged to be insane may be, and the execution directed to the proper officer after judgment rendered for the penalty and costs of the action shall provide without any further order of the court in such case, that in default of the penalty and costs being satisfied out of the goods and chattels, the body of the defendant named therein subject to such execution shall be taken and lodged in the jail of the county in which such judgment is rendered for a period not to exceed ten days, or until said penalty and costs are sooner paid; *provided, however*, that the judicial officer having jurisdiction to conduct the inquiry as to the sanity of the person alleged to be insane, may, upon application, in his discretion, order the release of the person so penalized and confined, before the expiration of the said ten days, if he is satisfied, upon the presentation of the circumstances before him that further confinement will not result in the collection of the penalty and costs because of the inability of the person penalized to pay the same.

Proviso.

If restraint not necessary.

3. If the condition of said person alleged to be insane is not such, in the opinion of the person making the said application, or of the physicians making the examination and signing the certificates as hereinafter provided, as to require that the person alleged to be insane should be under immediate restraint and confinement, and that such person is not sufficiently dangerous that the welfare of such person or of others does not require that the person alleged to be insane should be immediately committed to an institution for the insane in this State, then and in such case the application in writing, with physicians' certificates attached thereto, as hereinafter provided, shall be first made to the judge of the Court of Common Pleas in the county in which said person alleged to be insane resides or may be, or to the judge of the Circuit Court of said county, for an order instituting an inquiry into the sanity of the said person alleged to be insane, in which said order the time and place and judicial officer who shall hear the matter shall be designated, which said officer shall be any one of the said judges authorized to take the proofs and render final judgment, as in section one hereof provided, who is authorized in his discretion to adjourn the inquiry by order to be signed by him for a period not to exceed fifteen days from the date thereof. In all cases, whether before the confinement of the person alleged to be insane, or afterwards, the order instituting the inquiry as to his sanity shall provide for two days' notice of the time, place where and name of the judicial officer who is to hear and decide the matter, to be given to the person alleged to be insane, to the next of kin of said person, or to the person with whom said person resides or resided at the time of his temporary commitment, as aforesaid, if said next of kin is not the person with whom said person resided, or to the attorney of any of said parties. The judge having jurisdiction upon the matter being brought before him, and the ap-

Inquiry as to insanity.

Notice of hearing.

Summary hearing.

plication, certificates and temporary order being presented to him, is authorized to hear the matter in a summary way and determine the same, and is authorized, in his discretion, to call a jury to determine the question of the sanity of such person. He shall have power to compel the attendance of witnesses and jurors. At such inquiry the person making the application for the inquiry and commitment, or the medical director, or other head officer of the institution in which he may be confined, shall produce the person alleged to be insane whose mental condition is to be inquired into, unless such person shall waive, in writing, his right to be present at the inquiry, the signature of such person to be attested by a subscribing witness, or unless the medical director of the institution in which he may be confined, or his personal physician, if he is not so confined shall certify that the condition of such person is such that it is inadvisable to produce such person at the inquiry, and the properly designated officer of such institution shall be authorized, in writing, by the medical director to convey and reconvey such person subject to inquiry to and from said hearing, and such written authorization shall be such designated officer's sufficient authority for so doing; *provided, however,* that in all cases the judicial officer hearing the matter may, in his discretion, proceed with or without a jury, as the case may be, to the place where such person may be, and view the said subject of the inquiry. After proofs have been taken and the matter heard, as provided in this act, either before or after the temporary commitment of the person, as aforesaid, upon the rendering of the final judgment, in case the person is found by said judge to be insane and a proper person to be permanently confined in one of the institutions for the insane in this State, he shall designate in said order the names of the witnesses who certified the nature of the malady with which the said person is found to be afflicted, and shall

Witnesses and jurors.

Proviso.

What order to show.

recite the notices given of the inquiry, and shall direct the place of confinement where the said person is to be committed, permanently, or until restored to his right mind, or until the further order of a court of competent jurisdiction. The final judgment rendered in the matter shall be signed by the judge and filed with the clerk and recorded in the Common Pleas or Circuit Court minutes, as the case may be, and a certified copy thereof delivered to the medical director or other head officer of the institution to which the person is committed after the same shall have been recorded in the Common Pleas or Circuit Court minutes, in the clerk's or register's office of the county in which the person resided or was located at the time of his commitment, or in the county in which the said institution is located, if the final hearing is had in the said last mentioned county.

Commitment.

Final judgment.

Recorded.

4. The application for commitment to and confinement in any institution for the care and treatment of the insane in this State shall be made on forms approved by the managers of the State Hospitals for the insane, and shall state the following facts, if known, to the applicant: The age, place of nativity, name, place of residence and occupation of the person so intended to be committed, the name and place of residence of the next kin of said person, the name of the person with whom said person resides or last resided, and the degree of relationship, or other circumstances causing the applicant to interest himself in said person; and to every application filed, as aforesaid, shall be attached the certificates of two physicians under oath setting forth the insanity of said person. Every certificate shall bear date the day of the making of the personal examination of the subject of the application which must be made in every case by the physicians signing same and it shall be the day of the date of the application for the admission of the said person to any institution for the insane in this State, which examination shall be

Form of application.

What to state.

Certificates attached.

Time of examination.

made not more than six days prior to the admission of said person to any such institution, or not more than six days before the institution of the inquiry as to his sanity, if said inquiry and final hearing shall precede the admission and commitment of the subject of the inquiry. Every physician in order to qualify so as to certify to the insanity of any person for the purpose of securing his commitment to or confinement in any institution for the care and treatment of the insane in this State, must be of reputable character, a graduate of some incorporated medical college, a permanent resident of this State, and shall have been in the actual practice of his profession for at least five years. Every certificate shall contain a thorough description and identification of the person sought to be confined, and in every case shall state the facts that may be obtained concerning the classification of the mental malady of the said person, hereditary taint, previous attack and nervous disorder; *provided, however,* that a non-resident of this State may be confined in any institution for the care and treatment of the insane in this State in the same manner as residents may be admitted and committed, except that the physicians' certificates attached to the application for the admission and confinement of said non-resident to any such institution preliminary to the inquiry and final hearing may be made by two physicians, residents of the State from which said non-resident may be sent, which certificates shall be similar in form to those prescribed for residents of this State, and said non-resident physicians shall have all the qualifications required by the laws of the State from which said non-resident is sent to secure the commitment of patients resident in said State to any institution for the care and treatment of the insane located in said State, but the inquiry and taking of proofs for final commitment of said non-resident in the manner provided in this act shall not be had unless

Qualified physician.

Personal description of patient.

Proviso.

certificates shall be presented at the inquiry to the judge of two physicians resident of this State, after personal examination of the non-resident person alleged to be insane, having the qualifications prescribed by this act, and upon compliance with all the other provisions of this act; *provided, however*, that no physician who is either superintendent, proprietor, an officer, a regular professional attendant, or who is financially interested therein, or who is a relative, either by blood or marriage, or guardian or trustee of the person sought to be confined, shall be qualified to make the certificate to be attached to the said application. Proviso.

5. No person so temporarily confined, as aforesaid, pending inquiry, shall be held in confinement for more than fifteen days from the date of his admission to such institution, except as hereinafter provided, unless inquiry as to the insanity of such person, as provided in this act, shall have been instituted and concluded upon the presentation to the proper judicial officer of the said application, with said physicians' certificates attached thereto, which application and physicians' certificates shall be filed in the first instance with the medical director or head officer of such institution if the person subject to the inquiry is admitted to and confined in such institution prior to the said inquiry under temporary commitment or otherwise. It shall be the duty of such medical director or other head officer to forward compared copies of all papers filed with him pertinent to the inquiry, certified under his hand and attested by his secretary, to such judicial officer for use at the hearing, and, if demanded, to produce at the said inquiry the original application, certificates and order of temporary commitment. If the inquiry is brought on before the temporary confinement of the person alleged to be insane takes place, then the person or his attorney making the application shall produce and file the papers at the time

Period of temporary confinement.

Pertinent records furnished.

If inquiry before temporary commitment.

of the inquiry with the clerk of the county, who is hereby charged with the duty of transmitting all the original papers in the matter, except the order made at the hearing, a certified copy thereof taking its place, to the medical director or other head officer of the proper institution at the conclusion of the inquiry for filing. If the judicial officer before whom the inquiry is instituted, as aforesaid, cannot conveniently determine the same by the taking of proofs and hearing the matter within fifteen days from the date of the admission of the person alleged to be insane to any institution in this State under temporary confinement therein, or within fifteen days from the date of the order setting the time and place for the institution of the inquiry if no confinement has taken place in any such institution, then the said judge shall certify that a longer time than fifteen days is necessary to conclude said inquiry and shall certify how much longer time is required, which shall not exceed thirty days from the date of said order, and shall order that said person remain in said institution where he is confined until the inquiry is concluded, which order shall be recorded in the minutes of the Common Pleas or Circuit Court, as the case may be, of the county in which said inquiry may be had.

Extension of time for determination.

Appeal may be taken.

6. If a person ordered to be committed, pursuant to this act, or any relative or friend in his behalf, be dissatisfied with the final order of the judge committing him, he may appeal from such finding by petition to a Justice of the Supreme Court, within two days after the making of such order, after notice to the medical director or other head officer of the institution detaining any person temporarily committed, of such proposed appeal, who shall temporarily detain such person pending the filing of the petition of appeal and determination thereof. Such justice shall try, in a summary way, the question of fact as to the competency of the person adjudged by final order in

Summary inquiry.

the original inquiry to be sane or insane, which inquiry shall be concluded within thirty days from the day of the making of the final order of adjudication in said inquiry. Said justice shall have power to compel the attendance of witnesses and to summon a jury to decide the facts of the competency of such person in the proceedings on review, if demanded, and then only in case no jury was summoned to pass upon the fact of the sanity of such person in the original inquiry, and the medical director, or other head officer, shall produce at the hearing on appeal before the said justice certified copies of all papers on file with him and as provided in the original inquiry, produce the person alleged to be insane, so confined in the institution in his charge, subject to the limitations in such case provided in the original inquiry. If such petition of appeal be made by any other than the person so committed, or the father, mother, husband, wife or child of such person, or the person with whom the person committed was residing at the time of such commitment or accustomed to reside, before such appeal shall be had, the petitioner shall make a deposit or give a bond, to be approved by a justice of the Supreme Court, for the payment of the costs and expenses of such appeal and re-hearing and determination of the question of insanity, if the order of commitment is sustained. If the justice shall decide that such person is sane, the said justice shall forthwith discharge him, but if he shall decide that such person is insane, the justice shall certify that fact and make an order of re-commitment, as upon the original hearing. A certified copy of such order shall be presented at the time of the re-commitment of such insane person to and filed with the medical director or other head officer of the institution to which the insane person is committed, and the original order shall be filed by the clerk after copying it in the Circuit Court minutes of

Witnesses and jurors.

Records furnished.

Deposit or bond to meet expenses.

Determination.

Copy of order.

the county in which said original inquiry is held.

Stays and reviews.

No stay pending appeal, nor any review of the proceedings on appeal, shall be had except upon the order of a justice of the Supreme Court, and made upon a notice, and after a hearing, with provisions made therein for such temporary care or confinement of the alleged insane person as may be deemed necessary.

In case of refusal to commit.

If a judge or justice shall refuse to grant an application for an order of commitment, temporary or final, of a person alleged to be insane, he shall state his reasons for such refusal in writing, and any interested person aggrieved thereby may obtain a rehearing and review and the determination of the question of insanity in the same manner under like conditions as from an order of commitment, and in case any Common Pleas judge or Circuit Court judge having jurisdiction to hold such inquiry and finally commit or discharge such person shall neglect to do so, any interested person, if the subject of the inquiry has not been temporarily confined, may, or if such confinement has taken place, the medical director or other head officer of the institution in which such person may be shall apply to any justice of the Supreme Court of this State to hold such inquiry, whose duty it shall thereupon be to conduct and decide the same in the same manner as the inquiry would have been conducted on review, and the clerk of the county having any papers filed in his office, and the medical director or other head officer shall transmit the papers in the case for the inquiry at the time and to the place indicated in the order fixing the same to be made by the said justice. Such application shall be made forthwith at the expiration of the fifteen days' time allowed for the holding of such original inquiry, and must be concluded within thirty days from the said expired time, and the medical director or any other head officer of any institution holding such person, subject to inquiry, is authorized in such case to detain such person pending

Rehearing.

Application may be made to justice of Supreme Court.

Time for application.

such inquiry by such justice and such inquiry shall be final, and the judicial officer at the expiration of the time limited herein for the original inquiry under the temporary commitment or order continuing the same who shall have neglected to conduct and conclude such inquiry shall have no further jurisdiction, but such jurisdiction shall vest in such justice of the Supreme Court, to whom appeal shall first be made. Final inquiry.

7. Upon the conclusion of said original inquiry, if said judge shall determine that said person, concerning whom said inquiry is made, is insane and is not indigent, but is able to be maintained in the institution in this State in which he is or is about to be confined, out of his own estate, he shall direct in the order of commitment that proper arrangements for such person's support and maintenance shall be made with the proper authority in charge of the business management of said institution to which such person may be committed, and if such person shall have already been admitted to or confined in such institution, the expense of such confinement to the date of the making of such arrangements shall also be a charge against the estate of such person, but, nevertheless, the judicial officer at the time of determining the fact that such person is non-indigent as well as if he shall determine that such person has husband or wife or relative chargeable by the law for such person's support, shall determine and state in the final order to be made in the inquiry the place of legal settlement of such person, for the purpose of charging the State or county, or both, for such support and maintenance in case of the failure of the estate, or husband, wife or relative chargeable, as in section sixteen provided, for the support of such person through inability to pay the same, and the State or county, or both, is in such case made liable upon order of transfer made by the proper judicial Arrangements for person's support. Expenses chargeable to estate. Legal settlement. Liability of state or county.

officer, upon application for the same by the medical director or other head officer for such transfer, upon certification in such application of his inability to collect the same.

If indigent; liability for support.

8. If such person is found to be indigent, but the husband or wife or relative chargeable for the support of such person or persons, as provided in section sixteen, is able to pay for the support of the said person in such institution, such person shall be liable for such expense and he shall in the order of commitment direct that such payment as the said institution would be entitled to receive from the State or county funds, or both, be paid to such institution by those so found so chargeable, and the business manager shall render bills to such person or persons quarterly in advance for the sums due, and shall collect the same by appropriate suit at law when necessary, when such arrearage shall be in arrears for two such quarters. If it shall so happen that the proper person chargeable with the collection of said sums due for such support and maintenance shall certify that he is unable to collect the same by suit or otherwise, the State or county, or both, otherwise liable for the support and maintenance of said insane person, upon the approval of such certification by a judicial officer authorized to commit such person to such institution in which he may be confined, shall be liable to pay the amount in arrears from the date of admission of such person subject to the right of the State or county, or both, to collect the sums so paid by suit at any time that assets may be discovered lawfully chargeable for said support and maintenance out of which said arrearages may be liquidated; *provided, however,* that the officer in charge of the financial affairs or business managment of such institution shall not be barred nor limited in the collection by suit at law, or any other legal method, of any sum so due by any person or from any funds liable for

Collection of charges.

If person chargeable unable to support.

Proviso.

such support and maintenance, irrespective of the absence or limitations in or directions given in the order of such judicial officer, or omission to make such order.

Legal settlement.

9. If said judicial officer shall determine that said person is insane and indigent, he shall inquire and determine the question of the legal settlement of said person, and if said judicial officer shall determine that said person is insane and indigent and has a legal settlement in the county in which he resides he shall so certify, and shall order that said person be confined in the institution for the care and treatment of the insane owned by the county in which he has a legal settlement, if there be such an institution; otherwise, in an institution for the care and treatment of the insane owned by the State of New Jersey at the expense of the county in which he has a legal settlement, from the time of his original admission therein, until he is restored to reason or removed or discharged according to law, and said judicial officer shall, at the same time, order the discharge of said person from any institution for the care and treatment of the insane in this State, in which he may be confined, other than the one named in said order, and his transference from said institution to the institution named in said order; and said judicial officer shall file all papers with the clerk of the county who shall transmit same to the institution to which the insane person is transferred for filing with the medical director or head officer thereof, except that the order of transference or any other original order shall be filed and retained by the said clerk, after copying the same in the Circuit or Common Pleas minutes, as the case may be, in such country, and he shall transmit certified copies thereof to both institutions concerned in said transfer, and said clerk shall report the facts to the board of chosen freeholders or other governing body of the county in which

Institution where committed.

Transfer.

All papers transmitted.

Freeholders notified.

Money raised for expenses of support.

said person has a legal settlement, whose duty it shall be to raise the money requisite to meet the expenses of the support of said person 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, and as soon thereafter as is practicable to pay the same to the treasurer of said institution or institutions

Question of indigency inquired into.

10. If any person residing in this State be insane and indigent, such fact shall be set forth in the application hereinbefore provided for, and the said judicial officer, on presentation to him of said application in manner and form hereinbefore provided, shall inquire into and determine the question of the indigence of said person as well as the question of his mental competency, whether he be insane or not insane, and the nature, if possible, of such malady; if such judicial officer shall determine that said person is not insane, he shall so certify, and shall order that said person be discharged from the institution in which he may be, or from the restraint which he may be under, and shall file the applications and certificates with the clerk of the county for transmission to the medical director, or head officer of the institution concerned, and the order of discharge signed by said judicial officer, shall be filed with the clerk of the county, and recorded by him in the minutes of the Common Pleas or Circuit Court, as the case may be, and a certified copy thereof transmitted to the institution concerned, from which the person from whose custody said discharged person has been released. In no case, however, shall any person, not otherwise insane, be left in permanent confinement by final order made in any inquiry under the provisions of this act, because of any temporary derangement as a result solely of inebriety, but such persons shall be admitted to and confined in such institutions under such

Determination and discharge.

In cases of inebriates.

provisions for inebriates, as may otherwise be by law provided; *provided further,* that idiots, imbeciles or feeble-minded persons shall not be included among those termed insane within the provisions of this act; *and provided further,* that if the evidence produced at any inquiry to prove the insanity of any person for the purpose of having such person finally committed to any institution in this State for the care and treatment of the insane, is that the subject of the inquiry is insane because he is subject to delusions, and it shall develop at the inquiry that such ideas or beliefs have a reasonable basis of fact or foundation by information conveyed to such person, or otherwise, such evidence shall not be permitted to weigh against the sanity of such person, but such person, if adjudged to be insane, shall be found so upon other evidence not based upon such testimony, and any testimony based upon the opinion of an expert witness or alienist formed from the facts stated in any hypothetical question submitted to him to answer under oath in such inquiry, shall not be evidence against the sanity of such person, if such question contains such supposed delusions which are found to have such reasonable basis of fact or foundation.

Proviso.

Proviso.

As to delusions.

Testimony of alienists.

11. If said judicial officer shall determine that said person is insane and indigent, and appears to have a legal settlement in a county in this State other than the one in which he resides, he shall adjourn said inquiry for one week and shall cause notice to be given to the board of chosen freeholders or other governing body of the county in which such person appears to have a legal settlement, which notice shall be served upon the county counsel or other officer of said board of chosen freeholders or other governing body at least three days before the date of said inquiry; and upon the date of said inquiry said judicial officer shall take proofs as to the legal settlement of said per-

If insane, indigent, and legal settlement.

son and if he shall determine that said person has a legal settlement in a county other than the one in which he resides, he shall so certify and shall order that said person be confined in an institution for the care and treatment of the insane owned by the county in which he has a legal settlement, if there be such an institution, otherwise in one of the institutions for the care and treatment of the insane owned by the State of New Jersey, at the expense of the county in which he has a legal settlement, unless the husband or wife or relative of such indigent is able to support and maintain such person in such institution to which such person may be confined or is about to be confined, then in such case the said county shall collect the sum due for such board and maintenance from said husband, wife or relative and pay the same to said institution, and in case of failure to collect same upon the certification of such fact and approval thereof by the proper judicial officer as in this act provided, such sum shall be paid by the said county as aforesaid and such order of commitment shall direct that such person be so detained until he is restored to reason or removed or discharged according to law; and the said judical officer shall at the same time order the discharge and transfer of said person from any institution for the care and treatment of the insane in this State or from the custody of any person or persons or committee in which he may be confined or restrained other than the one named in said order, in the manner provided for the transfer of an insane and indigent person chargeable to the county in which the hearing and adjudication is had, the clerk of the county in which such inquiry is had shall report the facts to the board of chosen freeholders or other governing body of the county in which the person has a legal settlement, whose duty it shall be to raise the amount required to meet the expenses for the support of

Where confined.

Support by family.

County to pay.

Discharge.

County to raise amount.

such person from the beginning of his confinement in any institution for the care and treatment of the insane in this State, if it shall be found that the husband, wife or relatives chargeable for his support are not able to maintain and support said person in such institution from the time of the admission of such person to any such institution, including all arrearages, or in case such support or maintenance by husband, wife or relatives shall at any time fail after any payments made for such reason and in like case as provided in case of an indigent committed by a judicial officer having jurisdiction in the county in which said person alleged to be insane has a legal settlement, such board of chosen freeholders of the county in which such person may have such legal settlement, if not otherwise paid as herein provided shall pay the cost of his transference from one institution to the other, and said payment shall be made by the said board of chosen freeholders as soon as practicable to the treasurer of said institution or institutions.

If unable to maintain, transfer.

Cost of transfer paid by freeholders.

12. If the said judicial officer shall determine that the said person is insane and indigent, and has no legal settlement in any county of this State, he shall so certify, and if he shall find that said insane and indigent person has no legal settlement in any county as aforesaid, and no husband, wife or relatives chargeable with and able to maintain and pay for the support of such person, he shall so additionally provide, and shall in either case order that said person be confined in one of the institutions for the care and treatment of the insane owned by the State of New Jersey, until he is restored to reason or removed or discharged according to law; and in case said judicial officer shall find that said person is insane and indigent and has no legal settlement in any county in this State, and shall find that such person has husband, wife or relatives chargeable for his support in this State who are able to maintain and support

If no legal settlement.

Confined in State asylum.

Family chargeable.

such person at said institution, he shall be committed and shall so direct in said order that such payment shall be made in the same amount as would be paid by the State for such person, but in case of failure to collect because of the inability to discover and collect said support by reason of the failure of assets of any person or persons, the State shall be liable for such maintenance from the date of the confinement of said person in any such institution for arrearages due, as if such order had been made in the first instance charging said person to the State upon the approval of such facts made by such judicial officer having jurisdiction in the county from which said person was committed, or the county in which such institution is situated, upon the application of the medical director or other head officer of such institution; and the said judicial officer shall, at the same time, order the discharge and transfer of such person from any institution for the care and treatment of the insane in this State in which he may be confined or from the custody of any person or persons other than the institution named in such order in the manner provided in this act for their transference to like institutions, in the manner heretofore provided for a patient chargeable to any county in this State, and the said judicial officer shall file said certificate and order with the clerk of the county, and the said clerk shall forthwith forward a certified copy of such certificate and order to the medical director or other head officer of the institution in which such person is confined, and also, if such person is ordered transferred to another institution, to the medical director or other head officer of the institution to which the order directs his transference; and the clerk shall report the facts to the State Treasurer, and the State shall pay, in monthly payments, all the expenses of the support of such person from the beginning of his confinement in any institution

Liability of State.

Transfers.

Payments by State.

for the care and treatment of the insane in this State, except as aforesaid, together with the expenses of his transference from any institution or institutions to another, and as soon as practicable thereafter the State Treasurer shall forward the same to the treasurer of the institution or institutions upon requisition therefor from the proper authorities of such institution or institutions.

Discharges.

13. Any person admitted to any institution in this State under any of the provisions of this act, whether upon final commitment or otherwise, may be discharged therefrom upon the certificate of the medical director stating that the patient is cured or that further treatment and attention in said institution is unnecessary, upon the approval of such certification, to be made by the judicial officer of the county having authority to hold inquiry and commit such person to such institution from whence said person was admitted to such institution, which said order shall be filed with the clerk of the county for recording in the minutes of the Circuit or Common Pleas Court, as the case may be, in said county, and a certified copy thereof delivered to the medical director or other head officer in the institution from which said person is thereby discharged. In case any person is dissatisfied with the refusal of the medical director or other head medical officer to furnish a certificate of discharge admitting the sanity of such person confined in such institution, or in case such person or any friend or relative in his behalf desires to obtain the release of such person from any institution in this State in which he may be confined, because of insanity, after final commitment therein, in accordance with the provisions of this act, may proceed to apply for his release in accordance with the provisions of "An act regulating the practice of writs of habeas corpus, sued out by or in behalf of persons confined in any hospital for the insane, or lunatic asylum in this

Certificate of discharge.

May apply for writ of habeas corpus.

State," approved April second, eighteen hundred and ninety-eight, being chapter 135 of the pamphlet laws of that year, and on the return day of the writ, the justice or judge hearing the matter, shall not discharge said person under such writ, unless it shall be found in such proceeding that such person is sane; *provided, however,* that nothing in this act contained shall be construed as abrogating in any way the right of any person to sue out any writ of habeas corpus to which he or they may otherwise be entitled.

Proviso.

Autopsies.

14. The body of any person who shall be admitted or confined in any institution in this State as insane, on final adjudication, as an indigent patient, shall by reason of such indigent commitment be considered subject to such physical examination after death for the purpose of determining in such case the cause of the mental ailment resulting in said person's commitment to said institution, and the cause of death of such person, in the discretion of the medical director of such institution, and such medical director is authorized to make such necessary examination personally, or direct same if done under his supervision and care and on his written certificate of the advisability therefor, but such examination shall not be of such a character as to interfere with the appearance of the body when such body is claimed for burial by relatives or friends of the deceased.

Cause of death.

Insane criminals

15. If any person in confinement under commitment, indictment or sentence, or under any other process, shall appear to be insane, the justice of the Supreme Court presiding in the courts of the county in which he is confined, or a judge of the Circuit Court or judge of the Court of Common Pleas of said county may, upon presentation to him of the application and certificates hereinabove provided, institute an inquiry and take proofs as to the insanity of said person in the manner and

form hereinbefore provided; and if said justice or judge shall determine that said person is insane he shall so certify; and shall order that said person be discharged from imprisonment, and that he be confined in one of the institutions for the care and treatment of the insane owned by the State of New Jersey, or, if said justice or judge shall deem it expedient, to an institution for the care and treatment of the insane owned by one of the counties of this State, until said person is restored to reason or removed or discharged according to law; and said justice or judge shall file said certificate and order with the clerk of the county; and said clerk shall forthwith forward a certified copy of said certificate and order to the medical director or other head officer of the institution for the care and treatment of the insane in which said person has been ordered confined; and said justice or judge may, in his discretion, order the removal of said person so confined as aforesaid from the institution in which he is confined and his confinement in another one of the institutions for the care and treatment of the insane in this State; and said justice or judge shall file said order with the clerk of the county; and said clerk shall forthwith forward a certified copy of said order to the medical director or other head officer of the institution from which such person is discharged, and likewise to the medical director or other head officer of the institution in which such person is confined; *provided, however,* that if said person is restored to reason during the pendency of the proceedings against him resulting in his confinement under commitment, indictment or sentence or other process as aforesaid, said person shall be remanded by order of the justice or judge to the place in which he was confined under commitment, indictment or sentence or other process as aforesaid, there to be dealt with according to law; but no person shall be so re-

Confined in asylum.

Certificates and orders.

Proviso.

Certificate of recovery.

manded unless the medical director or other head officer of the institution for the care and treatment of the insane, in which said person is confined, shall present to said justice or judge a certificate setting forth that said person has been restored to reason, which certificate together with the order of the said justice or judge, shall be filed with clerk of the county; and said clerk shall forthwith forward a certified copy of said order to the medical director or other head officer of the institution for the care and treatment of the insane from which such person is remanded; if said person is indigent his legal settlement shall be determined, and his support at said institution for the care and treatment of the insane shall be provided for according to the provisions of this act; *provided,* that nothing in this act contained shall be construed to repeal or in any way abrogate the provisions of an act entitled "An act to amend an act entitled 'An act for the government and regulation of the State Prison,' passed April twenty-first, one thousand eight hundred and seventy-six," passed March twenty-ninth, one thousand nine hundred and ten.

Proviso.

Liability for maintenance.

16. Every insane person supported in any institution for the care and treatment of the insane in this State shall be personally liable for his maintenance therein, and all necessary expenses incurred by said institution in his behalf, and the trustee, guardian, husband, father and grandfather, mother and grandmother and the children, and the wife if she is in sufficiently comfortable circumstances, severally and respectively being of sufficient ability, of every insane person confined in any institution for the care and treatment of the insane in this State, whose estate is not sufficient for his support, shall, at his, her or their charges and expense, support, and maintain said person in said institution in such manner and to such an amount as the proper judicial officer shall

direct, as hereinbefore provided in this act.

If person found able to pay after commitment.

17. Whenever, after the commitment of any person as indigent, it shall be found that such person is able to pay for his or her board and maintenance, or that some other person is legally bound for the support of such patient committed as an indigent, it shall be the duty of the county in which such person had a legal settlement, or the State, as the case may be, upon the certification of such fact or condition by the medical director, head officer or business manager of such institution in which such person may be confined, or upon the certification thereof by the solicitor of said county, or the Attorney-General, as the case may be, and approval thereof by the judge of the Court of Common Pleas or the judge of the Circuit Court of the said county where such person had a settlement, or the county where such institution is located, if there is no legal settlement in any county, to undertake the collection of such sums as may be due for the board and maintenance of such patient, and to receive such sums from such estate or person instead of from the county or State, as the case may be. And whenever, after the commitment of any person as non-indigent, it shall be found that the estate of such person is unable to pay for his board or maintenance such person shall, upon the certification of the said medical director, or other head officer or business manager of the institution in which said person is confined, or upon the certification of the county solicitor, or the Attorney-General, as the case may be, and the approval of the judge of the Common Pleas or the Circuit Court of the county in which said person had a legal settlement, or in case there be no legal settlement in any county, the Common Pleas judge or the Circuit Court judge in which such institution is located, such person shall at once become an indigent patient chargeable, including arrearages, against the

If patient found indigent.

county or State, or both, as the case may be, upon notice to the clerk of the board of chosen freeholders of the proper county and the State Treasurer.

Warrant for authority to admit and detain.

18. Any application and certificates, and any order, temporary or otherwise, made as provided in this act, whether upon order for temporary commitment or final order after inquiry, or order for re-commitment on appeal for review, or upon any application and certificates without temporary order for admission for forty-eight hours when such temporary order cannot be obtained at the time of the admission, as in section one hereof provided, or certified copies thereof, as in this act provided, shall be sufficient warrant and authority for the medical director or other head officer of any institution for the care and treatment of the insane in this State to admit, keep or detain for the time permitted in this act and no longer, and to transfer and discharge any person mentioned in said order, or to do or refrain from doing any other thing mentioned in said order.

In case of doubt.

19. It shall be the duty of the medical director, superintendent or chief medical officer of every hospital, institution or retreat for the insane, in case he is in doubt of the insanity of a patient admitted by him, to certify such doubt upon the original application for admission, or copy thereof, which shall be issued by him for the purpose of use at the inquiry into the sanity of such patient.

As to construing act.

20. Nothing herein contained shall be construed as authorizing the State Treasurer to pay the authorities of any county institution for the care and treatment of the insane any greater sum for any purpose than is now authorized by law.

Penalty for false signing.

21. Any person who shall sign any application or certificate for the admission and commitment of any person alleged to be insane to any institution for the care and treatment of the insane in this State other than for the purpose of such care and treatment of such person shall be guilty

of a misdemeanor.

Systematic record of inmates kept.

22. Every medical director or other head officer of any institution for the care and treatment of the insane in this State shall, within three days after the reception of any patient, make, or cause to be made, a descriptive entry of the case of said patient in a book or other systematic form of case records with card index exclusively set apart for that purpose; said medical director or other head officer shall also make or cause to be made from time to time entries as to the mental state, bodily condition and medical treatment of said patient, together with the forms of restraint employed during such time as such patient remains under his care, and in the event of the discharge or death of said patient, said medical director or other head officer shall state in said case-book the circumstances appertaining thereto.

Repealer. In effect.

23. All acts and parts of acts contrary to the provisions of this act are hereby repealed, and this act shall take effect on the first day of May, nineteen hundred and thirteen.

Approved April 3, 1913.

CHAPTER 251.

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

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

Section 29 amended.

1. Amend section twenty-nine of the act to which this act is an amendment so that it shall read as follows:

State Board of Examiners; how composed.

29. There shall be a State Board of Examiners, consisting of the Commissioner of Education, the

principals of the State Normal Schools, a county superintendent of schools and a city superintendent of schools. Said county superintendent of schools and said city superintendent of schools shall be appointed by the State Board of Education. The county and city superintendents so appointed shall hold office for one year from date of their respective appointments as aforesaid. Each of the persons so appointed shall receive for his services, in addition to traveling expenses, such compensation as may be fixed by the State Board of Education, not to exceed ten dollars for each meeting of said board of examiners. Said board shall hold examinations of teachers, grant State certificates to teach and revoke the same under rules and regulations prescribed by the State Board of Education.

Duties.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 252.

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, approved March eleventh, one thousand nine hundred and twelve.

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

Section 76 amended

1. Amend section seventy-six of the act to which this act is an amendment so that it shall read as follows:

Method of raising money for lands or buildings.

76. Whenever a city board of education shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for

erecting, enlarging, repairing or furnishing a schoolhouse or schoolhouses, it shall prepare and deliver to each member of the board of school estimate of such school district a statement of the amount of money estimated to be necessary for such purpose or purposes; said board of school estimate shall fix and determine the amount necessary for such purpose or purposes, and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education, and the other to the common council, board of finance or other body in the city having the power to make appropriations of money raised by tax in such city; said common council, board of finance or other body may appropriate such sum or sums for such purpose or purposes in the same manner as other appropriations are made by it, and said sum or sums shall be raised, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such city are raised, assessed, levied and collected; or said common council, board of finance or other body may appropriate and borrow such sum or sums for the purpose or purposes aforesaid, and may secure the repayment of the sum or sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such city; bonds so issued shall be designated "school bonds," may be registered or coupon or both, of such denominations as the common council, board of finance or other board may determine, and shall be made payable in not more than fifty years from the date thereof; they shall be sold at public or private sale and not for less than par and accrued interest, and such city shall in its annual tax levy raise money sufficient to pay the interest of said bonds, together with at least one per centum per annum of the principal thereof, to provide a sinking fund for the retirement of said bonds at maturity; or in lieu of providing for

Appropriation.

May issue school bonds.

Rate.

Time.

Sinking fund.

a sinking fund for the retirement of said bonds at maturity, the bonds may be so issued that a stated equitable amount of them (in value), having regard to other school bonds already issued, shall become payable in each year beginning not more than ten years from date of the earliest issue and ending in not less than forty years from such date, and in such case there shall be raised by tax in each year such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year; the proceeds of the sale of such bonds shall be deposited with the custodian of school moneys of such school district and shall be paid out only on the warrants or orders of the board of education; *provided*, that no amount in excess of three per centum of the taxable valuation of the real and personal property shall be appropriated only with the concurrence and consent of said common council, board of finance or other body expressed by its resolution duly passed; *provided further*, that the total amount of bonds for such purposes, including bonds theretofore issued for the purposes named in this section, and not redeemed, shall not exceed at any one time a sum equal to five per centum of the taxable valuation of the real and personal property in such district; *and provided, further*, that if the charter of the city shall limit the amount of indebtedness in such city, or shall by its terms prevent the carrying out of the provisions of this section, said charter provisions shall hereafter be held not to apply to the issuing of bonds under the provisions of this section.

Use of proceeds.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 253.

An Act constituting eight hours a day's work for all laborers or workmen and mechanics employed by contractors or sub-contractors doing work or furnishing material for the State of New Jersey, or any county, city, township or other municipality thereof, and providing penalties for violation of the provisions of this act.

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

State or municipal contracts based on eight hours' work per day.

1. All contracts hereafter made by or on behalf of the State of New Jersey, or by or on behalf of any county, city, township or other municipality of said State, with any corporation, person or persons, for the performance of any work, or the furnishing of any material manufactured within the State of New Jersey, shall be deemed and considered as made upon the basis of eight hours constituting a day's work; and it shall be unlawful for any such corporation, person or persons to require or permit any laborer or workman and mechanic to work more than eight hours per calendar day in doing such work or furnishing or manufacturing such material; *provided,* that in cases where it may be necessary to work more than eight hours per calendar day for the protection of property or human life such laborer or workmen and mechanics may be employed for longer periods per calendar day if paid on the basis of eight hours constituting a day's work; *and provided, further,* that not less than the prevailing rate of per diem wages in the locality where the work is performed shall be paid to such laborers or workmen and mechanics so employed by

Proviso.

Proviso.

New Jersey State Library

such contractors or sub-contractors by or on behalf of the State of New Jersey, or by or on behalf of any county, city, township or other municipality of said State.

Penalty for violations.

2. Any officer of the State of New Jersey, or of any county, city, township or other municipality of said State, or any person acting under or for such officer, or any contractor with the State of New Jersey or any county, city, township or other municipality thereof, or any sub-contractor under any such contractor, violating any of the provisions of this act, shall for each offense be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment not more than six months, or both fine and imprisonment in the discretion of the court.

Exception.

3. This act shall not apply to existing contracts.

Repealer.

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

Approved April 3, 1913.

CHAPTER 254.

An Act to amend an act entitled "An act to amend an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,'" approved April twelfth, one thousand nine hundred and six, approved April sixteenth, one thousand nine hundred and eight.

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

1. Section nine of the act of which this is an amendment shall be amended to read as follows: Section 9 amended.

9. The Assistant Secretary of State shall be ex-officio Commissioner of Motor Vehicles, and shall have personal charge and supervision of the enforcement of the provisions of this act. The Commissioner of Motor Vehicles shall appoint a chief inspector of motor vehicles who shall have practical knowledge of the mechanical arrangement and capabilities of all kinds of motor vehicles, and be capable to pass upon the efficiency of motor vehicles and the competency of motor vehicle drivers. The Commissioner of Motor Vehicles shall also appoint as many inspectors, not exceeding sixteen as may be necessary, in detecting violations of this act, in obtaining evidence of violations and otherwise assisting in the enforcement of the act. The said inspectors shall be chosen with special reference to their fitness for the work, Head of department. Chief inspector. Inspectors. Qualifications.

and shall be required to submit themselves to such an examination as the Commissioner of Motor Vehicles shall provide, and shall be equipped at his discretion, with motor cycles or other means of conveyance. The Commissioner of Motor Vehicles shall organize the inspector force with the chief inspector at its head, and shall adopt such rules and regulations for the regulation of the inspector force as shall appear desirable, and shall exercise the power of suspension, and when necessary, of discharge of inspectors for failure to comply with the rules of the department, or for any other cause. The compensation of these inspectors shall be thirteen hundred and fifty dollars per annum. The Commissioner of Motor Vehicles shall also have the power to appoint any number of citizens not exceeding twenty who shall be interested in the proper enforcement of this act, and who shall be known as special inspectors, not more than two of whom shall be residents of any one county. They shall serve without pay, and shall have all the power and authority of the paid inspectors as stated in this act. The Commissioner of Motor Vehicles shall also fix the compensation of clerical assistants and others employed under this act. The compensation of the Commissioner of Motor Vehicles shall be fifteen hundred dollars per annum, in addition to any compensation he may receive by reason of any statute fixing the compensation of Assistant Secretary of State, and that of the chief inspector shall be eighteen hundred dollars per annum.

Organization; rules, etc.

Pay.

Special inspectors.

Clerical force.

Salary of commissioner.

Of chief inspector.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 255.

An Act authorizing the transfer of inmates of the New Jersey State Prison to lands acquired for the purpose of employing State prisoners in agricultural and similar pursuits and in the quarrying and preparation of building and road materials.

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

Transfer of prisoners to certain lands, work, etc.

1. The board of inspectors of the New Jersey State Prison is hereby authorized and directed, on the requisition of the Prison Labor Commission to transfer any number of prisoners from the State Prison to any lands acquired under the provision of an act entitled "An act to authorize the acquisition by the Prison Labor Commission of lands for the employment of State prisoners in agricultural and similar pursuits and in the quarrying of stone and preparation of building and road materials, and making appropriations therefor," the prisoners so transferred to remain in the legal custody of the State Prison authorities and subject to return to said State Prison at the option of said authorities. The selection of the prisoners to be so transferred shall be made by the principal keeper of the State Prison and approved by the said board of inspectors.

Requisition.

2. The requisition of the Prison Labor Commission shall be a sufficient authorization to the principal keeper and board of inspectors of the State Prison for the transfer of the number of prisoners therein called for or any less number.

Rules and regulations.

The said board of inspectors and principal keeper shall establish necessary rules and regulations for the custody, control and discipline of

said prisoners so transferred. Prisoners so transferred shall receive the same commutation for good behavior as is allowed inmates of the State Prison.

Repealer. 3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 256.

An Act to regulate the pay or salary of certain officers and other employees of fully paid fire departments in all cities of the second class in this State.

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

Compensation of employees of fire department. 1. In all cities of the second class of this State having a fully paid fire department the pay or salary per annum of the following-named officers or employees shall be as hereinafter specified, viz.:

Officers. To the chief engineer, not less than the sum of twenty-seven hundred dollars per annum; to the deputy chief engineer, not less than twenty-five hundred dollars per annum; to the assistant chief engineers, each not less than the sum of twenty-two hundred dollars per annum; to the captains or foremen of companies, each not less than fifteen hundred dollars per annum; to assistant captains or foremen of companies, and to engineers of steamers, each not less than fourteen hundred dollars per annum; to stokers, drivers, tillermen, hosemen, truckmen and telegraph linemen, each not less than nine hundred dollars for the first year of service; not less than one thousand dollars for the second year of service; not less than eleven hundred dollars for the third year of service, and not less than thirteen hundred dollars

Men.

for every year of service thereafter; *provided, however,* that this act shall not be so construed as to reduce or diminish the annual pay or salary of any officer or employees who are members of the fire department in any of the said cities at the time of the passage of this act. Proviso.

2. This act shall take effect immediately, but its provisions shall remain inoperative in any of the said cities until the same shall be submitted to and accepted by the qualified voters of such city as hereinafter provided. Referendum.

3. Whenever it shall be deemed desirable by the governing board or body having charge of the finances of said cities to submit the question of the adoption of the provisions of this act to the legal voters of said city, the governing body of said city shall pass a resolution directing that such question be submitted to said voters of said city at the next regular election to be held therein; public notice thereof shall be given by said governing body by publication in one or more newspapers published and circulated in said city once a week for at least four weeks before election. Question of submission.

At any election at which the question of the adoption of the provisions of this act shall be submitted to the voters of any such city there shall be printed upon the official ballots for such city the word "for" and the word "against" above and immediately preceding the words "An act to regulate the pay or salary of certain officers and employees of paid fire departments in cities of the second class." If the word "for" be marked off or defaced upon the ballot, it shall be counted as a vote against the acceptance of this act; if the word "against" be marked off or defaced upon the ballot, it shall be counted as a vote in favor of the acceptance of this act; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot, it shall not be counted as a vote either for or against such acceptance. A canvass and return of the votes upon the Ballots.

Canvass and returns.

question of the acceptance of this act shall be made by the election officers in the same way and manner as for officers voted at such election, and if a majority of the votes cast for and against the acceptance of this act shall be found to be in favor of its acceptance, it shall then, but not otherwise, become operative in such city.

In effect.

4. In any city in which this act shall become operative, in the manner herein provided, the increase of pay or salaries therein shall go into effect on the first day of the next fiscal year of such city, and not before, and provision for payment thereof shall be made in the tax levy raised in such city.

Repealer.

5. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Approved April 3, 1913.

CHAPTER 257.

An Act to amend an act entitled "An act to amend an act 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 children,' approved March twenty-eighth, one thousand nine hundred and five," which amendatory act was approved April twelfth, one thousand nine hundred and ten.

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

Sections 2 and 3 amended.

1. The second section and third section of the act entitled "An act to amend an act 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 children,' approved March twenty-eighth,

one thousand nine hundred and five, which amendatory act was approved April twelfth, one thousand nine hundred and ten," be and the same is hereby amended to read as follows:

Section 10 amended.

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

Source of fund.

10. Such pension fund shall be provided and sustained as follows:

From insurance companies.

I. By one-half of the two per centum of the premiums for insurance effected in such municipalities by foreign insurance companies, which is now by law required to be paid to local firemen's relief associations in such municipalities; and upon and after the creation of a pension fund under and by virtue of this act, it shall be lawful for agents and brokers of such foreign insurance companies to, and they shall, pay said one per centum of the premiums received by them for insurance on property in such municipalities to the treasurer of the corporations herein authorized; and when it is so paid and taken for the uses of such pension fund it shall be taken and accepted in lieu and bar of any and all claims for the relief which any member of said pension fund or his widow or children might have or may have had upon the local relief fund from thenceforth where and while there are other beneficiaries upon such local relief fund entitled to relief therefrom, except cases where such paid firemen may thereafter be injured or contract serious illness while doing actual fire duty, or any special or extra duty, upon which he may be detailed.

Fines.

II. By all fines, penalties and forfeitures assessed upon and collected from any officer or member of such fire department.

Rewards.

III. By all rewards, fees, gifts or emoluments paid or given for extraordinary services rendered by any officer or member of said fire department, except when the same is allowed by the board of

fire commissioners or other municipal board having charge and control of the said fire department to be retained by such officer or member, or when the same is specially given to endow a medal or other competitive reward.

Donations.

IV. By all appropriations, donations, devises and bequests that may be made or given to such pension fund by any such municipality or other corporation or person.

Fees; sale of old property.

V. By all fees received for permits issued by such board of fire commissioners or municipal board, and the money obtained by sale of old materials and property of such paid fire department other than real estate.

Chimney fires.

VI. By all fines that may be imposed upon persons whose chimneys are negligently set on fire.

Licenses from amusement places.

VII. By such license fee as is now or shall hereafter be imposed upon and collected by the municipality from the owners or lessees of theatres and places known as nicoldromes, nicolettes, moving picture shows, amusement parlors, circuses, exhibitions and all like places of public amusements in such municipality, which fees shall be paid to the treasurer of such corporation for the benefit of such fund.

Taxes on explosives.

VIII. By all taxes on the sale or storage of explosives as now or hereafter to be provided by the law of this State.

Assessments on firemen's salaries.

IX. The board of trustees of any such corporation shall assess and collect from each and every member of such department who is eligible to membership in said pension fund, a sum not exceeding two per centum of his salary, and not less than one per centum thereof, for said pension fund; said sum shall be paid by each and every such member monthly to the treasurer of such corporation, and such assessment and collection shall be made in the manner and form as may be provided in the by-laws of the corporation, and it shall be lawful for any municipality in this State to pay to the board of trustees of any such corporation

an amount not exceeding two per centum of the salary, and not less than one per centum of the salary of each and every member of such department whenever such municipality through its common council or other governing body may appropriate a sufficient amount for such purpose.

Section 11 amended.

3. Section eleven of the said act of which this act is amendatory be and the same is hereby amended to read as follows:

Pensions, how paid

11. Pensions shall be paid from such fund in the following manner:

Age and service.

I. In all municipalities of this State in which this act shall become operative, all members of such fire department who shall have honorably served therein twenty-five years and who shall have reached the age of fifty-five years shall, upon application to the board having charge of the fire department in such municipality, be retired by such board, and shall thereupon receive from such pension fund an amount annually equal to one-half of the salary received by such member at the time of his retirement.

Incapacity through service.

II. If any officer or man permanently employed in such department, whose duty requires active service in the extinguishment of fires, shall have become or shall hereafter become incapacitated, either mentally or physically, for the performance of such duty, whenever such incapacity is or shall be the result of injury received or sickness contracted while on duty, either in the performance or attempted performance of any duty connected with employment in such fire department, or in the performance or attempted performance of any extra or special duty upon which such officer or man may be detailed, he shall be retired by such board of fire commissioners or other municipal board having charge of such fire department, and shall thereupon be entitled to receive and shall receive annually from such pension fund an amount equal to one-half of the salary received by him at the time of his retirement; in all applica-

tions made under this paragraph, the officer or member applying for retirement shall furnish to the board of fire commissioners or other municipal board having charge of such fire department a certificate, signed by three practicing physicians of the municipality in which said fire department is located, one of whom shall be selected by the applicant, one by the board of fire commissioners or other municipal board having charge and control of such fire department, and the third by the board of trustees of the pension fund of said fire department, stating that, in their opinion, he is incapacitated, either mentally or physically, for the performance of his duty in such department, and which certificate shall further state how such incapacitation was brought about; and said certificate, when signed as above and containing the information above required, shall be conclusive proof to the said board of the incapacitation of such applicant.

Physicians' certificate as to incapacity.

In case of death.

III. If any officer or man permanently employed in any fire department in any said municipality shall be fatally injured while on duty, either in the performance or attempted performance of any duty connected with employment in such fire department, or in the performance or attempted performance of any extra or special duty upon which such officer or man may be detailed, or shall die as a direct result of sickness or illness contracted or incurred either in the performance or attempted performance of any such duty, the widow, if any there be, or, if there be no widow, then the child or children of such deceased officer or man shall receive from such fund an annual pension equal to one-half of the salary received by such officer or man at the time of his death, to be paid in equal monthly installments to such widow during her widowhood; if such officer or man should not leave a widow, but shall leave a child or children, such pension shall be applied, under the di-

Pension to widow or children.

When pension to parents.

rection of the board of trustees of said corporation, to the support of such child or children until they shall have attained the age of sixteen years; if such officer or man shall not leave a widow or any children him then surviving, but shall leave a dependent parent or parents, to whom the said officer or man was the main support, such parent or parents shall receive from such fund an annual pension equal to one-half of the salary received by such officer or man at the time of his death, to be paid in equal monthly installments to such dependent parent or parents so long as they or either of them shall remain dependent.

If pensioner die, disposition of pension.

IV. When any officer or man in such department shall die after having been retired and pensioned, his widow shall receive from such fund an annual pension equal to the pension received by such officer or man at the time of his death, to be paid in equal monthly installments to such widow during her widowhood; *provided, however,* that said widow had been married to such officer or man previous to the date of his retirement; if such officer or man shall not leave a widow, but shall leave a child or children, or should his widow remarry, such pension shall be applied, under the direction of the board of trustees of said pension fund, to the support of such child or children until they shall have attained the age of sixteen years; if such officer or man shall not leave a widow or any children him then surviving, but shall leave a parent or parents dependent upon him for support, such parent or parents shall receive from such fund an annual pension equal to the pension received by such officer or man at the time of his death, to be paid in equal monthly installments to such dependent parent or parents so long as they or either of them shall remain dependent.

Proviso.

Repealer.

4. All acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 258.

An Act respecting paid fire departments, and paid members of partly paid fire departments of towns and regulating the tenure and terms of office of such men employed in said departments.

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

Tenure of firemen in towns.

1. All members of paid fire departments and paid members of partly paid fire departments, in the several towns of the State, shall continue in their respective employment as such municipal employees during good behavior, efficiency and residence in such town, and no such person shall be removed from employment in the fire department of any town for political reasons or for any other cause than incapacity, misconduct, non-residence or disobedience of just rules and regulations established or which may be established for the fire department of such town; *provided*, that any such member of the fire department of any town who shall be absent from duty without just cause for the term of five days shall, at the expiration of said five days, cease to be a member of such fire department.

Proviso.

Qualifications of members.

2. Every paid member of the fire department in towns shall be a citizen of the United States and a resident citizen for two years of the town in which he is appointed, able to read and write the English language understandingly, and he must be of good moral character, of good health and sound body.

Age requirement.

3. No person shall be appointed a paid member of the fire department in any town who is less than twenty-one years or over thirty-five years of age at the time of his appointment.

4. No paid member of the fire department of any town shall be removed from employment therein, except for just cause, as provided in the first section of this act, then only after written charge or charges of the cause or causes of complaint shall have been preferred against any such employee, signed by the person or persons making such charge or charges, and filed in the office of the municipal officer, officers or board having charge of the department in which the complaint arises, and after the said charge or charges have been publicly examined into by the appropriate board, officer or authority, upon reasonable notice to the person charged, it being the intent of this act to give every person against whom charges for any cause may be preferred under this act a fair trial upon said charges and every reasonable opportunity to make his defence, if any he has or chooses to make: and the officer, board or body having power to try such charges shall have the power to issue writs of subpœna to compel the attendance of witnesses, which writs shall be served in the same manner as subpœnas issued out of the court for the trial of small causes, and every person who neglects or refuses to obey the command of such writ shall be liable to a penalty of twenty-five dollars, to be sued for in the corporate name of the town in any court of competent jurisdiction, and the penalty, when collected, shall be paid into the treasury of such town. Removal. Fair trial. Witnesses.

5. All acts and parts of acts, general or special, inconsistent with the provisions of this act, be and the same are hereby repealed, and this act shall take effect immediately. Repealer.

Approved April 3, 1913.

CHAPTER 259.

An Act to amend an act entitled "An act providing for the creation of juvenile courts in counties of the first class, and defining the jurisdiction and powers thereof," approved April first, one thousand nine hundred and twelve.

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

Section 20 amended.

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

Court attendants.

20. The judge of said court shall designate not more than four persons as officers or attendants of said court, and shall fix the salaries of said officers or attendants; *provided, however,* no such officer or attendant shall receive more than twelve hundred dollars per year, payable in equal monthly installments; *and provided further,* that the determination of the amount of such salaries shall be approved by the justice of the Supreme Court assigned to the Circuit Court in and for the county in which such juvenile court is located. Said salaries and all legally authorized expenditures incident to the administration of said court shall be paid in the manner provided for the payment of the expenses of the Court of Common Pleas.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 260.

An Act to amend "An act providing for the formation, establishment and government of towns," approved March seventh, eighteen hundred and ninety-five.

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

1. Section five of an act providing for the formation, establishment and government of towns, approved March seventh, eighteen hundred and ninety-five, be and the same is hereby amended to read as follows: Section 5 amended.

5. It shall be the duty of the council, township committee or the governing body of such town, borough or township, which shall have voted as aforesaid for incorporation as a town under this act, to divide such town into not less than three wards; each shall consist of contiguous territory, and each shall contain as nearly as possible an equal number of inhabitants; *provided, however,* that such division into wards shall be made at least one month before the first annual town election held under this act; *and provided further,* that where any town, borough or township shall have been divided into three or more wards before adopting this act, such division shall continue, and such existing wards shall constitute the wards of the town as formed and incorporated under this act, until changed by the council, and said council may change such division and create new or different wards at any time within thirty months after the declaration of the result of any official State or United States census. Towns divided into wards. Proviso. Proviso.

2. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 261.

An Act to incorporate the township of Hillside, in the county of Union, and State of New Jersey.

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

Corporate name.

1. The inhabitants of that portion of the township of Union, in the county of Union, hereinafter set forth, are hereby constituted and declared to be a body corporate in fact and in law by the name of the Township of Hillside, and shall be governed by the general laws of this State relating to townships.

Boundaries of township of Hillside.

2. The boundaries of the said township shall be as follows: Beginning at the intersection of a branch of the Elizabeth river with the Essex county line, said point being situated in the property of Jacob Ehrhardt, and from said beginning point; thence running southerly and southeasterly along said branch to the Elizabeth river; thence running along the said Elizabeth river, crossing the Lehigh Valley railroad at a point distant one thousand one hundred feet, more or less, northeasterly from the intersection of Morris avenue with the Lehigh Valley railroad; thence running still along the center line of the Elizabeth river, and also the center line of the Irvington avenue reservoir, in a southeasterly direction to where it intersects the city line of Elizabeth at Parker road; thence running northeasterly along the city line of Elizabeth to where the same intersects North Broad street at King street; thence running along the center line of North Broad street to about the intersection of the lower road to Newark; thence running along the city line of Elizabeth in a northeasterly direction through property of the Evergreen cemetery, seven hundred and fifty feet, more or less,

to a point in the lands of the Evergreen cemetery; thence running still along the Elizabeth city line in a southeasterly direction through lands of the Evergreen cemetery to where the same intersects the lower road to Newark, said intersection being a corner of Essex county; thence running along the Essex county line in a northerly direction crossing the Lehigh Valley railroad to a point near the center line of Elizabeth avenue; thence running still along the Essex county line in a northwesterly direction crossing Maple avenue and continuing about one thousand three hundred and fifty feet from the center thereof to an angle point in said county line; thence running still along the Essex county line in a northwesterly direction to said branch of Elizabeth river and place of beginning.

Referendum.

3. This act shall take effect immediately; *provided,* it shall not operate to effect the incorporation of the inhabitants of the territory above described as a township of this State, until it shall have been accepted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty days from the approval of this act and within the hours of six A. M. and six P. M. of the day fixed for the election, at a place within said territory to be fixed by the clerk of the township of Union, in the county of Union. The clerk of the said township shall cause public notice of the time and place of holding said election to be given by advertisements signed by himself and set up in at least ten public places within said described territory, and published in one newspaper circulating therein at least ten days prior to such election, and the said clerk shall provide for each elector voting at such election ballots, to be printed or written, or partially printed and partially written, on which shall be printed the word "for" and the word "against" above and immediately preceding the title of this

Special election.

Notice of.

Ballots.

act, and if the word "for" be marked off or defaced up the ballot it shall be counted as a vote against the acceptance of said act. If the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" shall be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed and be conducted by the officers of the election district of said township of Union, except no special form of ballot or any envelope need be used. The officers holding such election shall make return to the township committee of the township of Union of the result thereof by a statement in writing, under their hands, and the same shall be entered at length on on the minutes of the said township committee and thereupon and upon such adoption, and not otherwise, this act shall be in all respects operative.

Election; how conducted.

Returns.

Registry.

4. The register of voters within said described territory used at the general election next preceding the holding of such special election shall be used for the purpose of conducting such special election, and it shall not be necessary for said board of registry and election to make a new registry of voters for such special election, but only to revise and correct the register made for the last general election; and for that purpose the said board shall meet at such place within said described territory as shall be designated by the clerk of the township of Union, at least one week preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places in said described territory. Said meeting of the board of registry and election shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of that day, for the purpose of re-

Revised register.

vising and correcting the register and adding thereto names of all persons entitled to vote within such described territory at said special election, who shall appear in person before them, and establish to the satisfaction of the majority of the board that they are entitled to vote at said election, or who shall be sworn by written affidavit of a voter residing in said described territory to be entitled so to vote. A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him, and on the following day one copy shall be mailed to the chairman of the county board of elections of Union, to be filed by said board, and one copy shall be retained for the use of said board of election at such special election.

5. Immediately after the statement of the result of such election shall be made to the township committee of said township of Union, a copy thereof, certified by its clerk, shall be filed in the office of the county clerk of the county of Union.

Approved April 3, 1913.

CHAPTER 262.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

Agents of candidates.

1. Any candidate for nomination at the primary election, or for election as commissioner at the municipal election, shall have the right and power to appoint, evidenced by a certificate signed by such candidate, two agents or challengers for each

Certificate of appointment.

and every polling place in each election district in such city. The aforesaid certificate shall be filed with the district board of elections, before such agents or challengers shall be allowed to assume the privileges and duties of an agent or challenger.

Duties.

Such agent or challenger shall be vested with all the powers and duties now devolving upon agents and challengers by virtue of "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight, and the various supplements and amendments thereof.

Repealer.

2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed.

3. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 263.

A Supplement to an act entitled "An act concerning cities of the first class in this State, and constituting municipal boards of street and water commissioners therein, and defining the powers and duties of such municipal boards, and relating to the municipal affairs and departments of such cities, placed under the control and management of such boards, and providing for the maintenance of the same," approved March twenty-eight, one thousand eight hundred and ninety-one, and the supplements thereto and the amendments thereof.

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

Regulation of meters.

1. The Board of Street and Water Commissioners in the cities of the first class shall have power and authority, to regulate by ordinance, in such city, the use of meters for measuring water; and also for measuring gas or electricity, when used

for heat, light or power; and to prescribe the method of installation; and for the supervision of the testing of the same; and also to impose penalties for violation of such ordinance.

2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 264.

An Act providing for the establishment, maintenance, regulation and control of fire departments in villages.

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

1. It shall be lawful for the board of trustees or other governing board or body of any village in this State, by ordinance duly passed for that purpose, to establish, maintain, regulate and control a fire department; to regulate and define the manner of the appointment and removal of the officers and members of the fire department, their duties and their compensation; to provide and equip fire engines and other apparatus and engine houses and other places for keeping and preserving the same, and to install a fire alarm system. The money necessary for the purposes aforesaid shall be raised annually by taxation in the same manner and at the same time as other moneys for public purposes are raised in such village. Establish fire department in villages. Equipment. Expenses met by taxation.

2. All appointments and removals of officers and members of such fire department shall be made subject to the general laws of this State relating to the civil service, wherever the same are applicable. Appointments and removals.

Present members retained.

3. Provided that paid firemen heretofore appointed by the governing board or body of such village may be retained as members of its department authorized to be created by this act without passing a civil service examination.

4. This act shall take effect immediately.

Approved April 3, 1913.

CHAPTER 265.

An Act to change the name of "The German Theological School of Newark, New Jersey" to "Bloomfield Theological Seminary."

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

Change of corporate name.

1. The name of The German Theological School of Newark, New Jersey, a body politic and corporate, in fact and in law, by the name of "The German Theological School of Newark, New Jersey," be and the same is hereby changed to the "Bloomfield Theological Seminary."

2. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 266.

An Act to provide for the purchase or condemnation of sites for armories in any county of this State, for the erection and equipment of such armories, and making appropriations therefor.

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

Armory sites acquired.

1. The State Military Board be and they are hereby appointed and constituted a commission for the purpose of this act, to select and purchase

on behalf and in the name of the State of New Jersey a plot of ground in any county in the State, wherein there is now or hereafter shall be located a company or companies of the National Guard of the State of New Jersey, suitable for the purposes of an armory, and if such lands, or any part of them, cannot be obtained by agreement with the owner or owners thereof, said commission shall acquire the title thereto by the exercise of the right of eminent domain in proceedings duly taken and had under and in accordance with the provisions of "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use" (Revision of 1900), approved March twentieth, one thousand nine hundred.

Freeholders notified by county collector.

2. The county collector in any such county, whenever a written notice shall be served upon him by the aforesaid commission stating that lands have been contracted for or purchased, or the title thereto has been acquired by condemnation, shall forthwith notify the board of chosen freeholders of such county of the action of the commission, and the said board of chosen freeholders shall set apart, for the use of the said commission, out of any moneys in the county treasury, the amount stated in said notice as required by said commission; and in case said board of chosen freeholders shall not have moneys on hand sufficient to meet such appropriation, then it shall be the duty of such board to issue bonds in an amount sufficient to meet such appropriation, at a rate of interest not to exceed five per centum per annum, and payable at such time as the said board of chosen freeholders shall determine, and to advertise for proposals to sell the said bonds to the highest bidder, for an amount not less than the par value thereof. The said moneys, when so appropriated, or the proceeds of the sale of such bonds, shall be retained by the said county collector, and shall be by him paid

Money for armory.

May issue bonds.

Rate.

Use of proceeds.

out upon the written requisition of the aforesaid commission, by which it shall be applied to the payment of the amount of the purchase price or cost of said land and any damage for awards or compensation which may be made under the proceedings to acquire said title and the costs and expenses of acquiring said title, and the grading, filling, excavating, draining, paving and fencing of said lands, and also the equipping and furnishing of said armories, drill-rooms, company-rooms and storerooms when built, and any expenses incident to the carrying out of the provisions of this act, the entire cost of which in any county of the first or second class shall not in the aggregate exceed the sum of twenty thousand dollars, and in any county of the third class shall not in the aggregate exceed the sum of ten thousand dollars.

Plans for armory.

3. Whenever the lands above mentioned shall be purchased, or the title thereof shall have been acquired by condemnation as aforesaid, it shall be the duty of the said commission forthwith to proceed to obtain, by competition or otherwise, plans and specifications for the construction of a suitable armory, drill-rooms, company-rooms and storerooms, including suitable apparatus for heating and lighting the same, the entire cost of which said armory, drill-rooms, company-rooms and storerooms in each of said counties, including suitable apparatus for heating and lighting the same, shall not exceed in the aggregate the sum of twenty-five thousand dollars, which sum is hereby appropriated for that purpose, for each of said counties in which such armory shall be erected; and the comptroller is directed from time to time to pay the same, or as much thereof as may be necessary for the aforesaid purpose, out of any money in the treasury, not otherwise appropriated, on the written requisition of the said commission; but no expenditures, except for plans and specifications and for printing notices, shall be made as provided in this section until the title to

Aggregate sum allowed.

Title first acquired.

a suitable site for such armory in such counties respectively, free from all encumbrances, certified by the Attorney-General to be sufficient and in due form, shall be vested in the State of New Jersey, nor until a contract or contracts for the completion of such armory, drill-rooms, company-rooms and storerooms and necessary fixtures, within the limits of this appropriation, shall have been executed as herein provided.

Erection of armory.

4. When said commission shall have procured suitable plans for an armory to be erected on such site, they shall cause such armory to be erected with suitable drill-rooms, company-rooms, storerooms, and all other necessary and proper appurtenances for the best accommodations of the company or companies of the National Guard of such county, and shall cause the grounds to be suitably graded, drained and otherwise prepared for such armory.

Work done by contract.

5. The work aforesaid shall be done by contract, to be awarded to the lowest responsible bidder or bidders, after not less than two weeks' public notice of the time and place when and where bids therefor will be received, at which time the bids shall be publicly opened, but the commission may reject any or all bids and advertise anew for bids; and the commission shall prescribe, in the advertisements and in the contracts to be entered into for the erection of such armories, or for doing any work pertaining thereto, such conditions as they shall deem most for the interest of the State.

Superintendent, etc.

6. Said commission shall have power to employ proper and capable persons to superintend the erection of any such works as aforesaid, and such clerical and other aid as they may need in the performance of the duties herein imposed on them.

Payments.

7. For the payment of any expenditures herein authorized, the Comptroller of the Treasury shall draw his warrants on the State treasury, and the State Treasurer shall pay the same from time to

time as the said commission shall certify to the Comptroller to be necessary, and to such persons as they may designate, but not more than twenty-five thousand dollars shall be drawn from the State treasury in any one year for the purpose aforesaid when included in any annual supplemental appropriations bill.

8. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 267.

An Act providing for the repavement of paved streets in cities of this State, and for the issuance of bonds in payment therefor.

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

Repaving.

1. The common council or board having charge and control of the finances of any city in this State is hereby authorized and empowered to borrow money from time to time for the purpose of repaving any paved street or streets therein, and to

Amount of bond issue.

secure the payment thereof by the issuance of bonds to an amount not exceeding three hundred thousand dollars. The bonds so to be issued shall be payable not more than thirty years from their

Time; rate.

date, to bear interest at a rate not exceeding five per centum per annum, payable semi-annually, to be designated "repavement bonds," and to be of

Details of issue.

such form and denomination, and executed by such officers as said common council or board shall determine, and said bonds may be sold from time to time at public sale, but for not less than par, and accrued interest, under the direction of said common council or board. Each of such bonds shall recite that it is issued pursuant to the authority of this act, which recital shall be conclusive evi-

dence of the validity of such bond and the regularity of its issuance.

Use of proceeds.

The said common council or board shall be authorized to apply the proceeds resulting from the sale of any such bonds in the payment of the costs and expenses hereinafter incurred by such city in the repavement of any paved street or streets therein, which said common council or board shall hereafter decide to so repave.

Sinking fund.

2. It shall be the duty of the common council or board having charge and control of the finances of any city in this State issuing bonds under the authority of this act to establish a sinking fund for the payment of the principal thereof at maturity, and to provide for the levy and collection annually, until the maturity of the bonds, of a special tax of not less than three per centum of the par value of the bonds so issued to be levied and collected with the other taxes of such city, and paid into such sinking fund; and said common council or other board, having charge and control of the finances of any city in this State, shall also, each year until the maturity of said bonds, raise by special tax to be levied and collected with the other taxes of the city, an amount sufficient to pay the interest on said bonds, falling due in such year.

Provide for interest.

3. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 268.

An Act to regulate the payment of salaries of officers of this State.

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

State officials paid semi-monthly.

1. All officers paid by the government of the State of New Jersey shall be paid their salaries or compensation semi-monthly.

2. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 269.

An Act to provide for instruction in preventing accidents.

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

Instruction to prevent accidents.

1. It shall be the duty of each teacher in public, private and parochial schools in the State of New Jersey to devote not less than thirty minutes in each two weeks during which such school is in session to instructing the pupils thereof as to the ways and means of preventing accidents.

Handbook on subject.

2. The State Commissioner of Education, acting in conjunction with the members of the Employers' Liability Commission and the director of the American Museum of Safety, shall cause to be prepared and published at the expense of the State, a handbook or manual on accident prevention, conveniently arranged in lessons or chapters adapted to the understanding of the various class grades, for the purpose of the instructions pro-

vided for in the preceding section, and shall furnish a copy thereof to each teacher required to give such instructions.

Lecture.

3. At least once during each school term arrangements shall be made by the principals of all schools for the delivery by a duly authorized representative of the American Museum of Safety of a lecture on accident prevention and industrial, home and school hygiene, the cost of which to be paid by the State.

Law printed in teachers' manual.

4. The local boards of education, school directors, trustees or other persons having control of the schools of cities, villages, townships or other civic subdivisions of territory, whether the same be public, private or parochial, shall cause a copy of the next three preceding sections to be printed in the manual or handbook prepared for the guidance of teachers where such manual or handbook is in use.

In effect.

5. This act shall take effect June first, one thousand nine hundred and thirteen.

Approved April 7, 1913.

CHAPTER 270.

An Act respecting the widening and improving of the streets and thoroughfares of cities in this State, and providing for the payment of the expenses of the same.

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

Widen and improve streets.

1. In addition to any power now vested in any board or body having control of the streets and highways of any city of this State, said board or body shall have further power and be vested with all the rights and powers necessary thereto, upon petition signed by fifty owners of property located within said city, with the approval and consent

of the mayor of said city, to cause to be widened and improved for its whole length or such part of its length as shall be specified in said petition, any street or thoroughfare in such city under the provisions of this act in the manner following, and all proceedings taken hereunder shall refer to this act by its chapter number, and this act shall not be construed to affect the proceedings now provided by law regulating the subject matters herein named, nor shall the proceedings which may be taken under the provisions of this act be abridged by the provisions of any previous act.

Grades, etc.

2. When in the widening of any street or thoroughfare or part thereof under the provisions of this act it becomes necessary to lay out or establish grades, and grade, pave, curb and flag any portion or the whole of the same, such board or body may cause the same to be done.

Petition.

3. When a petition as aforesaid shall be presented to the board or body having control of the streets and highways in any city of this State, setting forth the name of the street or thoroughfare which it is desired to widen and improve and whether for its full length or a particular part, and to what width it is to be widened, and in what manner improved, then said board or body may proceed to widen and improve such street or thoroughfare as follows: They shall, in the first place,

Procedure.

direct their proper officers to make a survey, map and specifications of such street or thoroughfare describing therein the part to be widened and improved and the lands adjoining to be taken for the purpose of widening such street or thoroughfare, including the courses and distances and the various improvements and buildings through which the same will pass, and also the names of the several owners of lands proposed to be taken therefor, so far as the same can be conveniently ascertained, and showing the width of such street or thoroughfare, which shall not exceed one hundred and

Preliminary estimate.

fifty (150) feet in width, together with a prelim-

inary estimate of the amount of materials and work necessary to carry out the desired improvement, and after the completion of such survey, map and specifications and its adoption by said board it shall be first submitted to the board or body having charge of the finances of said city for their approval provided there be such a board in such city, and if approved by said last-mentioned board or body it shall then be submitted to the mayor of said city for his approval, and, if approved by him, the said survey and map shall be returned to the board or body having charge of the streets and highways of said city approved; if such survey, map and specifications shall be disapproved by either the board or body having charge of the finances of said city, or by its mayor, then the same shall be forthwith returned to said board or body having charge of the streets and highways of said city, together with the reasons for the disapproval of the same, and said last-named board shall proceed to consider said reasons and by resolution order such changes or alterations to be made as to said board shall seem proper, and such amended survey, map and specifications shall then be submitted as above directed for approval of said board or body having control of the finances, if there be such a board in such city, and said mayor of said city.

Map, etc.

Approval.

4. When said survey, map and specifications as originally made or amended shall have been approved by said board and mayor, the same shall be considered adopted by said city, and said board or body having control of streets and highways in said city shall declare by resolution that said street shall be widened and improved in accordance with the provisions of this act to the extent shown in said survey, map and specifications, and such board, their agents and employees, shall have full power at all times to enter upon any lands for any of the purposes contemplated by this act; and any land and real estate deemed necessary by the

Approved map, etc., adopted.

Work done

said board for the widening and improving of such street or highway, or any part thereof, may be taken therefor, and the value and damage assessed be allowed for the same, in the manner herein provided, that is to say, the said board or body having charge of the streets and highways in said city shall immediately, by petition in writing, signed by the president or head officer and clerk of said board, make application to a justice of the Supreme Court of this State for the appointment of three commissioners, and, upon such application, when so presented, said justice shall make an order fixing a time and place when said commissioners shall be appointed, which time shall not be less than fifteen days from the making of the application, which order shall be published in at least one newspaper published and circulated in said city, and in such other manner as such justice shall direct, for a time not less than fifteen days, at which said time and place, upon satisfactory evidence of the publication of such order as aforesaid, he shall appoint under his hand three discreet and impartial freeholders and residents of the city, commissioners to examine and appraise the land, real estate and other property to be taken for the widening and improving of said street, and the damages to be done to the owner or owners thereof by taking the same, upon such notice to be given to the persons interested as shall be directed by the justice making such appointment, either personally or by publication or otherwise; and it shall be the duty of the said commissioners having first taken and subscribed an oath or affirmation faithfully and impartially to discharge the duties of their appointment (which oath or affirmation shall be filed with the clerk of said city) to meet at the time and place appointed in said notice and proceed to view and examine the said lands, real estate and other property, to be taken in widening and improving said street, and to make a just and equitable estimate and appraise-

Commissioners to appraise lands, etc.

Oath of commissioners.

Meet to examine property.

ment of the compensation and damages each owner of the real estate and land to be taken will sustain by reason of such taking, considering in such appraisal the condition in which each owner's parcel will be left after taking so much thereof as will be necessary for said widening, and the benefits which will result from the widening of such street to the owner or owners of such land and real estate, and when the estates in any of said lands and real estate are not known, they shall appraise the compensation to be made for the damages to be done to the fee simple, and separate appraisals shall be made for each separate tract, and said commissioners, or any two of them, shall, within six months from the date of their appointment, make their reports in writing, which shall contain a description of each separate tract of land and real estate taken, and be under their hands and seals, and shall file the same within ten days thereafter in the clerk's office of the county in which said city is situated, to remain on record therein, together with their appointment and proof of notice aforesaid; a copy of which report, certified by the clerk of the county under his seal of office, shall be filed with the clerk of said board or body having charge of the streets in said city, and be by him presented to the said board at its next regular meeting, and thereafter such report shall remain of record in his office, and thereupon, and on the payment or tender of payment of the amount awarded as hereinafter provided the said city is hereby empowered to enter upon and take possession of the said lands and real estate, and the said report, or a copy thereof, certified by the clerk of said county and proof of payment or tender of the amount awarded, shall at all times be construed as evidence of the right of said city to have, hold, use, occupy, possess and enjoy the said lands and real estate for the purpose of said street; and the said justice of the Supreme Court, shall, upon application of either par-

Estimate damages and benefits.

Report.

Right of entry.

Allowance for fees, etc.

ty, and upon reasonable notice to the other, tax and allow such costs, fees and expenses to the commissioners, county clerk or others performing any of the duties prescribed in this section, as he shall deem equitable and right, which shall be paid by said city upon certificate of said justice; *provided,* that if for any reason the said commissioners are unable to appraise the compensation and damage for the taking of any land and real estate within the six months above mentioned, the said commissioners may make report, or supplemental report or reports, within such further time or times as the said justice on the application of the said board may direct; *and provided,* that if any or all of said commissioners shall die, or for any other reason shall be unable to make such report, then the said justice, or any justice of said Supreme Court, upon like notice may appoint other freeholders qualified as aforesaid, in the place or stead of the commissioners so deceased or otherwise unable to act, who, after taking oath or affirmation as aforesaid, shall proceed as if originally appointed; *and provided further,* that should any such board or body last aforesaid, acting under the provisions of this act, or the owners of any land or real estate, feel aggrieved by the decision of the commissioners aforesaid, he, she or they may appeal to the Circuit Court of said county at any time within thirty days after the filing of the said report by the said commissioners.

Proviso.

Proviso.

Proviso.

Appeals.

5. Every appeal from the decision of the commissioners appointed under the preceding section shall be made in writing, and in the form of a petition to the said court and filed with the clerk of said Circuit Court of such county at the next term of said court to be holden in said county; which proceeding shall vest in the Circuit Court full right and power to hear and adjudge the same, and to direct a proper issue for the trial of said controversy to be formed between the said par-

ties, and to order a jury to be struck and a view of the said premises to be had, and the said issue may be tried in the same manner as other issues in said court are tried, and upon such notice as the court shall order, and if such jury shall find a greater sum than the said commissioners shall have awarded in favor of said owner or owners, then judgment thereon, with costs, shall be entered against the said city but if the jury shall be applied for by the said owner or owners, and shall not find a larger sum than the said commissioners shall have awarded, then said costs shall be paid by said applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor as the said court shall direct, but such application shall not prevent the said board or body having charge of streets in said city from taking the said lands upon the filing of the said report as aforesaid; *provided*, that in no case whatever shall said city enter upon or take possession of any land of any person or persons except to make survey and maps as aforesaid, until they have paid or tendered the party or parties entitled to receive the same the amount assessed by the commissioners as the value of said lands and damages, but in no case shall the proceedings of appeal stay the entry upon and possession by said city of the lands and real estate so as aforesaid taken and appraised in the widening and improving of said street; *and provided, also,* that if any party entitled to the payment of the amount so as aforesaid assessed, shall refuse to receive the same, or be out of the State, or under legal disability, or such lands or real estate be encumbered by any judgment, mortgage or other lien, then the amount assessed as aforesaid shall be paid into the Court of Chancery of this State, and shall be distributed according to law, and such payment into court shall be taken and deemed a valid and legal payment.

Struck jury.

Payment of costs.

Proviso.

Proviso.

As to buildings taken.

6. Where the widening of such street shall take in whole or in part any building, said commissioners may determine, as to them shall seem most just, to take the whole of said building or so much thereof as stands on the lands required for widening of such street, or to require the owner or owners thereof to move it back from and outside of the line of said street, in case the owner or owners have land enough left for that purpose, and the appraisement of said commissioners, having due regard to all attendant expense, shall be made accordingly, also estimating and considering the amounts likely to be realized from the sale of any building or part thereof to be taken or disposed of for or on account of the widening of said street.

Work done by contract.

7. All work and material over and exceeding five hundred dollars in value thereof, furnished in and about the widening and improving such street, shall be done or furnished by contract after advertisements in the manner provided by law in such city for the awarding of contracts for street improvements.

Assessment to cover all expenses.

8. The cost of the widening and improving contemplated by this act, including all the expense of the work, and such sum or sums of money as may be necessary to acquire any land or real estate, or easement therein, for the purposes of this act shall be raised and assessed as hereinafter provided; but in order to provide the money necessary and required immediately for such improvement as aforesaid, the board or body having charge and control of the finances of such city shall issue or cause to be issued, from time to time, as may be necessary, the temporary loan bonds or certificates of the city, bearing interest at a rate not to exceed five per centum per annum, which temporary loan bonds or certificates may be renewed from time to time until the assessments for benefits for such improvement are paid. Should the total cost of such improvement exceed the amount of money appropriated therefor in the first in-

Temporary loans.

Rate.

If cost exceeds appropriation.

stance at any time, the said board or body having charge and control of the finances of such city shall appropriate such extra cost in the same manner, and the proceeds of such bond issue or issues or sale of certificates shall be appropriated to the credit of the board or body having charge or control of streets and highways, to be expended upon the requisition of the said board or body.

Assessment of cost on persons benefited.

9. When any such improvement is made in any city under the provisions of this act, the board or body having charge and control of the streets and highways in said city shall cause to be made a just and equitable assessment of the cost thereof among the owners and occupants of all the lands, tenements and real estate benefited thereby, in proportion to the advantages each shall be deemed to acquire, in accordance with the laws affecting such city respecting the subject matter of the opening, widening and improving of streets in such city. And in any city in which there are two or more methods for the making or imposition of assessments for street improvements, the board or body having charge and control of the streets and highways in said city proceeding under the provisions of this act shall impose or levy such assessments under such method or system as is deemed best adapted to the circumstances and occasion of such improvement. Any assessment made by virtue of this act shall bear interest at the rate of six per centum per annum after thirty days from the day the same is ratified or confirmed, as provided by law; and said assessments shall be collected as similar assessments are collected in such city. No land or real estate shall be assessed for any such improvement a greater amount than said land or real estate shall be benefited by such improvement; and in case the whole expense of any such improvement shall exceed the amount assessable for benefits, then the balance of such expense shall be borne by the city at large.

Method of assessment.

Assessments to bear interest; rate.

Excess borne by city.

Use of moneys collected.

10. The proceeds arising out of the collection of the assessments levied or imposed under and by virtue of the provisions of this act shall be used for the redemption of the bonds or certificates issued to defray the cost or expense of such improvement.

May issue bonds.

Said city may issue, from time to time, permanent bonds, either registered or coupon, or both, negotiable in form, to run for a period of

Time; rate.

not less than twenty nor more than forty years, to bear interest at a rate not exceeding five per centum per annum, and in such form as the board or body having charge and control of the finances of such city shall determine, for the purpose of raising money to take up, pay and retire so much and such part of the temporary loan bonds or certificates issued for the cost of such improvement or improvements as will not be provided for by assessments for benefits assessed or imposed for such improvement or improvements; also to pro-

Provision for interest.

vide for the payment of any part of the cost of any such improvement or improvements that may be assessed upon the city at large; and in the event of the issue of any such bond or bonds the board or body having charge and control of the finances of such city shall provide in each year for the tax levy for the payment of the interest falling due in that year upon any such bonds, and shall also provide for a sinking fund sufficient to

Sinking fund.

meet and pay all permanent bonds issued under the provisions of this act at maturity.

No wires above ground.

11. When any such street shall have been widened and improved in accordance with this act, no telegraph wires, telephone wires, trolley feed wires or wires of any other description or poles of any character, except iron standards or iron poles which may be necessary for street lighting and iron poles or standards and wires for overhead trolley systems, shall be allowed above ground.

Exception.

Improvements by trolley company

12. In case said street or thoroughfare shall be occupied by any trolley or street railway com-

pany, the said municipality is hereby authorized to make such agreement with such company in relation to said improvement as may be mutually agreed upon between said municipality and said company.

Powers herein given deemed additional.

13. This act shall not be construed to repeal any other act or acts providing for the improving of streets in any city of this State, but shall be deemed legislation for the purpose of giving additional or supplemental powers to any such city.

14. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 271.

An Act to create a special commission to study the administrative procedure and methods of the municipalities of the State of New Jersey and to make recommendations relating thereto.

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

Commission on municipal government.

1. The Governor of the State be and hereby is authorized to appoint a special commission of five mayors of the municipalities of the State, who shall serve without pay, to be known as the Special Commission on Municipal Government, for the purposes herein specified. Any vacancy in the commission shall be filed by appointment by the Governor.

Duties.

2. It shall be the duty of said commission:

Investigate municipal government

A. To inquire into the governments of the municipalities of the State of all classes with special reference (1) to the methods of municipal administration, and (2) to the effect and operation of the laws of the State concerning municipal government and to report on the needs, if any, for the revision or amendment thereof.

Consider establishing departments.

B. To inquire into and report upon the feasibility and desirability of establishing a department of government by the State of a municipal administration and reference bureau to co-operate with the local governments in establishing efficient administrative practice.

Sundry subjects.

C. To prepare and report for establishing in the municipalities of the State (1) a proper and uniform method of accounting and reporting, (2) a method of scientific budget making, (3) a plan for increasing the efficiency of methods of purchase of supplies and materials, (4) a method for planning, authorizing and executing public improvements, (5) a method for issuing and paying bonds and other certificates of indebtedness.

Report to legislature.

3. The commission shall make a report to the Senate and General Assembly on the several lines of inquiry herein specified before the first day of February, one thousand nine hundred and fourteen, and shall make specific recommendations and suggestions with respect to the subjects referred to herein.

Access to official records.

4. The commission or any member thereof, and its representatives, when duly authorized by the commissioners, shall have free access to all records, papers, documents and accounts of all municipal, county and State offices, and every public officer shall, upon request, furnish such information, records and reports as may be required by said commission.

In effect.

5. This act shall take effect and be in force from and after its passage.

Approved April 7, 1913.

CHAPTER 272.

An Act concerning cemetery corporations and contracts hereafter to be made and heretofore made by them with respect to interests in the proceeds of sales of lots or plots.

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

1. Any cemetery corporation heretofore or hereafter incorporated is hereby authorized to acquire lands for cemetery purposes and provide for the payment thereof by the issuance of certificates of interest in the proceeds of sales of lots or plots in the cemeteries comprising said lands, subject to the prior withdrawal from such proceeds of sale of lots or plots of any proportion thereof fixed by contract to be retained for the improvement and embellishment of the said cemetery and the perpetual care thereof; *provided*, that no cemetery shall be hereby authorized to acquire a total area in excess of that now limited by law. *And provided further*, that the total number of certificates of interest hereby authorized to be issued by a cemetery shall be fixed and determined before any such certificate shall be issued, and that the number so determined shall not be thereafter increased.

Acquire land.

Proviso.

Proviso.

2. Agreements may be made by cemetery corporations hereafter or heretofore organized providing for the withdrawal of a fixed proportion of the proceeds of sale of lots or plots for the improvement and embellishment of the cemetery and the perpetual care thereof, and for the accumulation and division of the balance of the proceeds of sale of lots or plots by and through trustees, either individual or corporate, and such agreement

Use of proceeds of sale of lots.

may be contained in the deeds of conveyance of lands to the cemetery or in separate instrument or instruments.

Certain agreements validated.

3. Any agreements or arrangements heretofore made by any cemetery corporations contained in deeds conveying lands to such cemetery, or in instrument or instruments contemporaneous therewith, or referred to therein, or in both, or in declarations of trust contained in any such deeds or instruments, or in other deeds or instruments executed and delivered by any individual or corporation, and any certificates of interest in proceeds of sale of lots or plots issued in pursuance thereof, not in contravention of the provisons of this act, are hereby validated and confirmed.

Joint agreements validated.

4. Any two cemetery corporations heretofore or hereafter organized, whose cemeteries are separated at any point only by a public road, may issue, under the provisions of this act, joint certificates of interest in the proceeds of sales of lots or plots in the two cemeteries subject to like withdrawals for improvement and embellishment and perpetual care, and joint certificates of interest in the proceeds of sale of lots or plots of any two such cemetery corporations, whose cemeteries are only so separated, heretofore issued, and all agreements and arrangements relating thereto contained in any deed of conveyance or instrument or instruments contemporaneous therewith or referred to therein, or in any declaration of trust by any individual or corporation, are hereby validated and confirmed.

As to validity of act.

5. This act shall take effect immediately, and if any portion of this act be held to be invalid it shall not affect any other portion.

Approved April 7, 1913.

CHAPTER 273.

An Act to repeal an act entitled "An Act to authorize the erection and equipment of an armory at Passaic, New Jersey, according to the provisions of an act entitled 'An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor,' approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto," approved March twenty-eighth, one thousand nine hundred and twelve.

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

1. The act of the Legislature of the State of New Jersey entitled "An act to authorize the erection and equipment of an armory at Passaic, New Jersey, according to the provisions of an act entitled 'An act to provide for the erection and equipment of armories in counties of the second class in this State, and making appropriations therefor,' approved April twenty-seventh, one thousand nine hundred and eleven, the amendments thereof and supplements thereto," be and the same is hereby repealed. Act repealed.

2. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 274.

An Act to defray the incidental expenses of the Legislature of New Jersey for the session of one thousand nine hundred and thirteen.

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

Treasurer authorized to pay certain amounts.

1. It shall be lawful for the Treasurer of the State of New Jersey to pay, upon warrant of the Comptroller, to the several persons hereinafter named, the following amounts, that is to say:

Item No. 1. To each clergyman, for opening the sessions of the Senate and House of Assembly with prayer during the session of one thousand nine hundred and thirteen, ten dollars $10 00

Item No. 2. To each officer of the Senate and House of Assembly of the session of one thousand nine hundred and twelve, who were present and rendered service in opening the session of one thousand nine hundred and thirteen, ten dollars, $10 00

Item No. 3. To James D. Christie, for services as doorkeeper of the House of Assembly, for the session of one thousand nine hundred and thirteen, three hundred fifty dollars $350 00

Item No. 4. To John J. Matthews, for services as clerk to Committee on Public Grounds and Buildings of the House of Assembly, for the session of one thousand nine hundred and thirteen, three hundred fifty dollars, $350 00

Item No. 5. To John Malone, for services rendered as postmaster to the House of Assembly, for the session of one thousand nine hundred thirteen, three hundred dollars, $300 00

Item No. 6. To Thomas E. English, for services rendered as assistant to the bill clerk of the House of Assembly for the session of one thousand nine hundred thirteen, two hundred fifty dollars, $250 00

Item No. 7. To William M. Wright, for services as clerk to the Committee on Incidentals of the House of Assembly, for the session of one thousand nine hundred and thirteen, one hundred fifty dollars, $150 00

Item No. 8. To Howard A. Butcher, for services as clerk to the Committee on Fish and Game of the House of Assembly, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 9. To Emanuel Jaffey, for services as messenger to the House of Assembly, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 10. To William G. Dassing, for extra services rendered to the clerk of the House of Assembly and to the journal clerk of the House of Assembly, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 11. To Francis J. Scanlon, for extra services rendered to the clerk of the House of Assembly and to the journal clerk of the House of Assembly, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 12. To R. T. Barnwell, for extra services rendered the sergeant-at-arms of the House of Assembly for the session of one thousand nine hundred and thirteen, eighty dollars, $80 00

Item No. 13. To Frank J. Pfaff, for extra services rendered the sergeant-at-arms of the House of Assembly for the session of one thousand nine hundred and thirteen, eighty dollars, $80 00

Item No. 14. To George A. Roehm, for services rendered for tuition and supervision of file clerks of the House of Assembly, for the session of one thousand nine hundred and thirteen, fifty dollars, $50 00

Item No. 15. To G. C. Skillman, for services rendered the Committee on Incidentals of the House of Assembly, for the session of one thousand nine hundred and thirteen, fifteen dollars, $15 00

Item No. 16. To Joseph F. Galvin, for services rendered the House of Assembly, for the session of one thousand nine hundred and thirteen, in drawing floor plans of the House of Assembly, fifteen dollars, $15 00

Item No. 17. To Cornelius Ford, for expenses incurred for postage and incidentals furnished the House of Assembly, for the session of one thousand nine hundred thirteen, one hundred fifty-one dollars and thirty-two cents, $151 32

Item No. 18. To Thomas F. A. Griffin, for expenses incurred for postage, stationery, typewriting services, etc., furnished the House of Assembly, for

the session of one thousand nine hundred and thirteen, one hundred dollars $100 00

Item No. 19. To Mark F. Phillips, for expenses incurred for postage, telephone charges and stenographic services furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, fifty dollars, $50 00

Item No. 20. To John F. Wynne, for postage for bills mailed for Members of the House of Assembly, for the session of one thousand nine hundred and thirteen, twenty dollars, $20 00

Item No. 21. To Thomas E. English, for postage for bills mailed for Members of the House of Assembly, for the session of one thousand nine hundred and thirteen, four dollars and twenty cents, $4 20

Item No. 22. To Ambrose Matthews, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred thirteen, fourteen dollars, $14 00

Item No. 23. To S. Walter Bennett, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, ten dollars and ninety-five cents, $10 95

Item No. 24. To George Farroat, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, ten dollars, $10 00

Item No. 25. To Thomas G. Tuso, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and

thirteen, nine dollars and eighteen cents, $9 18

Item No. 26. To Charles Greck, Jr., for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, seven dollars and eighty cents, $7 80

Item No. 27. To George Harring, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, five dollars and sixty cents, $5 60

Item No. 28. To Samuel DeLecce, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, five dollars and sixty cents, $5 60

Item No. 29. To Allan Walters, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, four dollars and seventy cents, $4 70

Item No. 30. To Frederick Rankin, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, three dollars and fifty cents, $3 50

Item No. 31. To Lloyd H. Patten, for traveling expenses as page of the House of Assembly, for the session of one thousand nine hundred and thirteen, three dollars and eight cents, $3 08

Item No. 32. To Stoll Blank Book and Stationery Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, one thousand one hundred thirteen dollars and sixty cents, $1,113 60

Item No. 33. To T. F. Fitzgerald, for Manuals of the Legislature for the year one thousand nine hundred and thirteen furnished the House of Assembly, for the session of one thousand nine hundred thirteen, five hundred two dollars, $502 00

Item No. 34. To William B. Riker and Son Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, four hundred fifty-six dollars and thirty-six cents, $456 36

Item No. 35. To G. N. Hogan, for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, four hundred twenty-five dollars, $425 00

Item No. 36. To Horace E. Fine Company, for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, three hundred thirty-seven dollars and twenty cents, $337 20

Item No. 37. To Read-Paiste Hardware Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, two hundred fifty-six dollars and five cents, $256 05

Item No. 38. To Harry A. Borden, for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, two hundred dollars and eighty cents, $200 80

Item No. 39. To Dwyer Bros., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, ninety-six dollars and ninety-one cents, $96 91

Item No. 40. To Whitehead and Hoag Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, seventy dollars and thirty-five cents, $70 35

Item No. 41. To MacCrellish and Quigley, for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, seventy-five dollars and sixty-six cents, $75 66

Item No. 42. To Delaware and Atlantic Telephone and Telegraph Co., for telephone service furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, fifty-three dollars and eighty cents, $53 80

Item No. 43. To Elliott Hardon, for expert services rendered in verifying securities, etc., turned over by former State Treasurer Daniel S. Voorhees to State Treasurer Edward E. Grosscup, for the House of Assembly for the session of one thousand nine hundred and thirteen, fifty dollars, $50 00

Item No. 44. To Frank J. Clark, for flowers furnished for decoration of Assembly Chamber in connection with inauguration of Governor Fielder, for the House of Assembly for the session of one thousand nine hundred and thirteen, forty dollars, $40 00

Item No. 45. To L. H. Johnson, for decorations furnished in connection with inauguration of Governor Fielder, for the House of Assembly, for the session of one thousand nine hundred and thirteen, twenty-five dollars, $25 00

Item No. 46. To Walter W. Prior, for repairing and overhauling typewriters for the House of Assembly, for the session of one thousand nine hundred and thirteen, twenty-two dollars and twenty-five cents, $22 25

Item No. 47. To Remington Typewriter Company, for rental of typewriters for the House of Assembly, for the session of one thousand nine hundred and thirteen, seven dollars, $7 00

Item No. 48. To Corlies, Macy & Co., for stationery supplies furnished the House of Assembly for the session of one thousand nine hundred and thirteen, five dollars and sixty cents, $5 60

Item No. 49. To Underwood Typewriter Co., for typewriter ribbon furnished the House of Assembly, for the session of one thousand nine hundred and twelve, seventy-five cents, $0 75

Item No. 50. To Underwood Typewriter Co., for adjusting typewriter for the House of Assembly, for the session of one thousand nine hundred and thirteen, fifty cents, $0 50

Item No. 51. To Legislative News Bureau, for synopsis of bills introduced furnished the House of Assembly for the session of one thousand nine hundred and thirteen, one hundred forty dollars, $140 00

Item No. 52. To A. L. Clark, for services rendered engrossing blank oaths of Senators and Members of the House of Assembly, and officers of the one hundred and thirty-seventh Legislature, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 53. To Harvey F. Rorbach,

for services rendered Members of the Legislature as postmaster, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 54. To Elizabeth Schlottenmeier, for services rendered Members of the Legislature as telephone operator, for the session of one thousand nine hundred and thirteen, fifty dollars, $50 00

Item No. 55. To John Multop, for services rendered Members of the Legislature, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 56. To James Brian, for services rendered Members of the Legislature for services as telephone messenger, for the session of one thousand nine hundred and thirteen, twenty-five dollars, $25 00

Item No. 57. To Joseph R. Scott, for services as clerk to the Committee on Militia of the House of Assembly, for the session of one thousand nine hundred and thirteen, three hundred dollars, $300 00

Item No. 58. To Walter Stanton, for services as clerk to the Committee on Miscellaneous Business of the House of Assembly, for the session of one thousand nine hundred and thirteen, three hundred dollars, $300 00

Item No. 59. To MacCrellish and Quigley, for calendars, minute books, etc., furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, four hundred five dollars and forty-three cents, $405 43

Item No. 60. To Stoll Blank Book and Stationery Co., for stationery supplies furnished the House of Assembly, for the session of one thousand nine hundred and thirteen, sixteen dollars and fifty-five cents, $16 55

Item No. 61. To Albert Datz Company, for stationery supplies furnished the Senate, for the session of one thousand nine hundred thirteen, one thousand seventy-six dollars and five cents, $1,076 05

Item No. 62. To State Gazette Publishing Co., for stationery supplies furnished the Senate for the session of one thousand nine hundred and thirteen, two hundred forty-five dollars and forty-five cents, $245 45

Item No. 63. To Stoll Blank Book and Stationery Co., for stationery supplies furnished the Senate, for the session of one thousand nine hundred thirteen, five hundred eight dollars and thirty-five cents, $508 35

Item No. 64. To L. N. Clayton, for toilet supplies furnished the Senate, for the session of one thousand nine hundred and thirteen, sixty-seven dollars and fifty cents, $67 50

Item No. 65. To Delaware and Atlantic Telegraph and Telephone Co., for telephone service furnished the Senate, for the session of one thousand nine hundred and thirteen, forty-eight dollars, $48 00

Item No. 66. To Horace E. Fine Co., for stationery supplies furnished the Senate for the session of one thousand nine hundred and thirteen, nine dollars, $9 00

Item No. 67. To Frances V. Smith, for

services as stenographer and transcript of testimony furnished committee to investigate appearance of New Jersey National Guard at Washington, D. C., March fourth, one thousand nine hundred and thirteen, for the Senate, for the session of one thousand nine hundred and thirteen, twenty-four dollars, $24 00

Item No. 68. To Underwood Typewriter Co., for rental of typewriter for the Senate, for the session of one thousand nine hundred and thirteen, twelve dollars, $12 00

Item No. 69. To MacCrellish & Quigley, for minute books, calendars, etc., furnished the Senate, for the session of one thousand nine hundred and thirteen, one hundred eighty-three dollars and fifty cents, $183 50

Item No. 70. To John A. Dobbins, for postage for bills mailed for Senators, for the session of one thousand nine hundred and thirteen, twenty-two dollars and fifty cents, $22 50

Item No. 71. To James M. Glenn, for postage for bills mailed for Senators, for the session of one thousand nine hundred and thirteen, two hundred ninety-five dollars and twenty cents, $295 20

Item No. 72. To Legislative News Bureau, for synopsis of bills introduced furnished the Senate, for the session of one thousand nine hundred and thirteen, one hundred dollars, $100 00

Item No. 73. To G. C. Skillman, for services rendered the Committee on on Incidentals of the Senate, for the session of one thousand nine hundred and thirteen, fifteen dollars. $15 00

Item No. 74. To Owen W. Kite, for services rendered the Joint Committee on Appropriations in preparation of the annual and supplemental appropriation bills, for the session of one thousand nine hundred and thirteen, five hundred dollars, $500 00

Item No. 75. To William M. Wright, for services as clerk to the Committee on Incidentals of the Senate, for the Senate, Session of 1913, $200 00

Item No. 76. To William E. Blackman, for rental of typewriter for the Senate, for the session of one thousand nine hundred and thirteen, nine dollars and fifty cents, $9 50

Item No. 77. To Edward L. Gilbert, for extra services rendered as Secretary to the President pro tem. of the Senate, Session of 1913, $200 00

Item No. 78. To Josiah Stryker, for services rendered as counsel to the Joint Committee appointed by the Senate and House of Assembly to investigate the New Jersey Home for Disabled Soldiers at Kearny, New Jersey, $150 00

2. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 275.

A Supplement to an act entitled "An act to establish a State system of highways, providing for their construction, improvement, maintenance, repair, and regulation of the use thereof and for a road fund and its disbursement in lawful expenditures appertaining to roads," approved April fifteenth, one thousand nine hundred and twelve.

Preamble.

WHEREAS, In pursuance of the provisions of the act to which this is a supplement, the State Commissioner of Public Roads has prepared a map or plan showing a proposed State highway system and submitted the same to the State Highway Commission; the said State Highway Commission has approved said plan;

AND WHEREAS, It is deemed advisable to take over the roads constituting said system in three installments of approximately five hundred miles each, and the first of said installments has been in said plan designated by blue lines;

AND WHEREAS, The said act provides that in their discretion, as the circumstances will permit, the State Highway Commission shall have the State Commissioner of Public Roads take over from the governing body having jurisdiction thereof, and with their assent, such highways, which shall thereafter be maintained and repaired at the expense of the State and under the jurisdiction of the State Department of Public Roads.

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

State Highway Commission to take certain roads.

1. The State Highway Commission be authorized and is hereby directed to take over under the said provisions of the act to which this is a sup-

plement the highways designated as blue routes in said plan and known by said commission and the Commissioner of Public Roads as roads included in the first division of said plan, not, however, to exceed five hundred miles, and that said roads so taken over shall, in pursuance with the provisions of the act to which this act is a supplement, be hereafter maintained and repaired at the expense of the State.

2. An appropriation of two hundred and fifty thousand dollars is hereby made for the further improvement, maintenance and repair of such roads so taken over as provided for in the first section of this act. Appropriation.

3. This act shall take effect immediately.

Approved April 7, 1913.

CHAPTER 276.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the several purposes herein specified, and for supplying deficiencies in former appropriations for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen: Supplemental appropriation.

1.

OFFICE OF THE SECRETARY OF STATE.

Department of state.

For additional allowance for compensation for clerical services in the office of the Secretary of State, one thousand two hundred dollars;

For additional allowance for postage, express age and other incidental expenses for the office of Secretary of State, one thousand dollars;

For additional allowance for blanks and stationery for use in the office of the Secretary of State, six thousand dollars;

For equipment for corporation and general vaults, one thousand five hundred dollars;

For compiling the general election laws, three hundred dollars;

For compiling and printing five thousand copies of the general corporation act, two thousand five hundred dollars.

2.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE REGULATION AND REGISTRATION.

Motor vehicle department.

For additional allowance for compensation of inspectors, four thousand eight hundred dollars;

For additional allowance for expenses and equipment of inspectors, one thousand five hundred dollars;

For additional allowance for compensation for clerical services, four hundred and seventy dollars;

For additional allowance for postage, expressage and other incidental expenses, three hundred dollars;

For additional allowance for blanks and stationery, two thousand five hundred dollars;

For additional allowance for the purchase and packing of identification marks and dies for use in

connection with the same, one thousand eight hundred dollars; payment of the above items in this account to be made from the receipts of the department of motor vehicle regulation and registration, pursuant to chapter two hundred and thirty-five, laws of one thousand nine hundred and nine.

3.

STATE BOARD OF ASSESSORS.

Assessors.

For additional allowance for postage, expressage and other incidental expenses for the State Board of Assessors, three hundred dollars;

For additional allowance for blanks and stationery for use in the office of the State Board of Assessors, one thousand dollars.

4.

COUNTY BOARDS OF TAXATION.

County tax boards.

For additional allowance for salaries of members of the county boards of taxation, one hundred dollars.

5.

BUREAU OF STATISTICS.

Statistics.

For additional allowance for current expenses of the Bureau of Statistics, one thousand dollars.

6.

SUPREME COURT.

Supreme Court.

For additional allowance for the Chief Justice and Associate Justices of the Supreme Court, for salaries, sixteen thousand five hundred dollars;

For additional allowance for the payment of expenses incurred by the order of the Supreme Court

pursuant to chapter one hundred and forty-nine of the laws of one thousand nine hundred, one hundred and fifty dollars.

7.

OFFICE OF CLERK OF THE SUPREME COURT.

Clerk of Supreme Court.

For additional allowance for blanks and stationery for use in the office of the clerk of the Supreme Court, three hundred dollars.

For the compilation, printing and distribution of a new edition of the rules of the Supreme Court, eight hundred and fifty dollars.

8.

STENOGRAPHIC REPORTERS.

Refund to counties for stenographers.

For additional allowance for amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter eighty-one of the laws of one thousand nine hundred and one, one thousand six hundred dollars.

9.

ADJUTANT-GENERAL'S DEPARTMENT.

General.

For additional allowance for compensation for clerical service in the Adjutant-General's office, fifty-eight dollars and thirty-four cents.

10.

ATTORNEY-GENERAL'S DEPARTMENT.

Adjutant-Attorney-General.

For the Second Assistant Attorney-General, for salary, two thousand eight hundred dollars;

For stenographic, witness and other expenses incurred in defending the sovereignty of the State in the Passaic Valley sewerage matter, to wit, the

case of New York v. New Jersey, seven hundred and fifty dollars;

For John R. Hardin, on account of professional services in railroad tax matters, one thousand five hundred dollars:

For Edmund Wilson, Attorney-General, for actual disbursements incurred in connection with the preparation, indictment and trial of criminal cases in Atlantic county, pursuant to a formal order made by the Supreme Court Justice presiding in that judicial district, said order being in conformity with chapter one hundred and eighty-four of the laws of one thousand nine hundred and eleven, one thousand dollars.

11.

STATE LIBRARY.

State Library.

For additional allowance for compensation of assistants in the State Library, two hundred and eighty dollars.

12.

GEOLOGICAL SURVEY.

Testing road materials.

For services and expenses incurred in connection with examining and testing road materials and pavements, four thousand dollars.

13.

COLLATERAL INHERITANCE TAX.

Collecting inheritance tax.

For additional allowance for surrogates' fees, appraisers' compensation and expenses, legal and other disbursements, and for the purpose of carrying out the provisions of the collateral inheritance laws, five thousand dollars;

The second paragraph under item number thirty-four of the act to which this act is a supplement, is hereby amended to read as follows:

There is hereby appropriated the unexpended balance remaining in the State treasury at the close of the fiscal year ending October thirty-first, one thousand nine hundred and twelve, of the amount appropriated in paragraph two, item number fifty-four, in the annual appropriation act for the fiscal year ending October thirty-first, one thousand nine hundred and twelve, for the repayment of collateral inheritance taxes paid, as assessed under the collateral inheritance tax act and to the refund of which the estates having made payment may be entitled under the decision of the Court of Errors and Appeals of this State, rendered July eighth, one thousand nine hundred and ten, in re Dixon vs. Russell (Collard estate), also those estates which, having made payment, may be entitled to refund under decision of the Supreme Court, in re Moss vs. Edwards, rendered July seventeenth, one thousand nine hundred and twelve (John L. Foote estate); *provided*, the application for such repayment shall be made within two (2) years from the date of payment of such tax. Payment of such claims shall be made only when proven in form, manner and substance to the satisfaction of the State Comptroller and approved by the Attorney-General of this State.

Proviso.

14.

DEPARTMENT OF LABOR.

Labor bureau.

For additional allowance for salary of commissioner, seventy-four dollars and one cent;

For additional allowance for salary of assistant commissioner, twenty-nine dollars and sixty-six cents;

For additional allowance for printing, postage, expressage and other incidental expenses, seven thousand dollars.

15.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

For additional allowance for salaries and expenses of the Board of Public Utility Commissioners, twenty-five thousand dollars. Utility commission.

16.

DEPARTMENT OF WEIGHTS AND MEASURES.

For additional allowance for salaries and expenses of the Department of Weights and Measures, pursuant to chapter two hundred and one, laws of one thousand nine hundred and eleven, two thousand five hundred dollars. Weights and measures

17.

COMMISSIONER OF EDUCATION.

For additional allowance for blanks and stationery, five thousand dollars; Department of education.

For revision of schoolhouse plans, five hundred dollars;

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to chapter sixty-five of the laws of one thousand nine hundred and nine.

18.

STATE NORMAL SCHOOL AT TRENTON.

For the purchase and improvement of a lot on Model avenue, in the city of Trenton, sixteen thousand dollars; Playground.

For enlargements, improvements and furnishing at the State Normal School at Trenton, eighty-five thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine. Addition to.

19.

INDUSTRIAL EDUCATION.

Manual training.

For additional allowance for payments to schools for manual training, forty thousand dollars.

20.

TEACHERS' RETIREMENT FUND.

Administrative expenses.

To the board of trustees, for additional allowance for payment of expenses incurred in connection with the administration of the teachers' retirement fund, pursuant to chapter one hundred and thirty-nine, laws of one thousand nine hundred and seven, one thousand three hundred dollars.

21.

STATE WATER SUPPLY COMMISSION.

Inspection and appraisal.

For engineering for dam inspection, one thousand dollars;

For appraisal of East Jersey and Elizabethtown water companies' plants, one thousand five hundred dollars.

22.

DEPARTMENT OF INLAND WATERWAYS.

Inland waterways.

For additional allowance for the purpose of carrying out the provisions of chapter eighty-three, laws of one thousand nine hundred and eight, twenty-five thousand dollars;

For marking and staking channels, two thousand dollars.

23.

EMPLOYERS' LIABILITY COMMISSION.

For additional allowance for expenses of the Employers' Liability Commission, pursuant to chapter two hundred and forty-one, laws of one thousand nine hundred and eleven, three thousand dollars; Expenses.

The above item to be transferred to the Department of Labor; provided same is authorized by enactment of the present Legislature. Proviso.

24.

STATE NORMAL SCHOOL AT MONTCLAIR.

For additional allowance for support of the State Normal School at Montclair, two thousand one hundred and eighty-two dollars; Montclair Normal School.

For additional allowance for necessary improvements and repairs to the grounds, buildings and furniture, and for keeping the same insured, five thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

25.

STATE NORMAL SCHOOL AT NEWARK.

For support of the State Normal School at Newark, nine thousand dollars; Newark Normal School.

For necessary equipment and supplies, nine thousand dollars;

For keeping the building insured, one thousand dollars.

26.

NEW JERSEY SCHOOL FOR THE DEAF.

For furnishing and finishing the wing now in process of erection, three thousand and seventy- New wing.

five dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

27.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Borden-town school.

For additional allowance for maintenance, one thousand dollars;

For remodeling girls' dormitory, five hundred dollars;

For addition to carpenter shop, two hundred and fifty dollars;

For furnishing new boys' dormitory, two thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

28.

COUNTY SUPERINTENDENTS.

Salaries.

For additional allowance for county superintendents of schools, for salaries, fifteen thousand five hundred dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

29.

SUMMER COURSES IN AGRICULTURE, ETC.

Summer school.

Proviso.

For the purpose of carrying out the provisions of Assembly bill number six hundred and sixty-nine; six thousand dollars; provided said bill becomes a law, payment to be made as provided by chapter sixty-five, laws of one thousand nine hundred and nine.

30.

BUREAU OF SHELL FISHERIES.

For payment of expenses incurred by persons appointed by the Governor to represent the State of New Jersey at the annual convention of the National Association of Shell Fish Commissioners, to be held in the city of Norfolk, Virginia, April twenty-second to twenty-fourth, one thousand nine hundred and thirteen, pursuant to concurrent resolution passed by the present session of the Legislature, four hundred dollars. Expenses attending convention.

31.

STATE OYSTER COMMISSION.

For repairs to boat "Cypher," five hundred dollars. Repair boat.

32.

STATE HOSPITALS.

To John A. McBride, for expenses incurred as member of the Board of Managers of the State Hospital at Morris Plains, for the years one thousand nine hundred and six to one thousand nine hundred and twelve, inclusive, six hundred three dollars and nine cents. Expenses of a manager.

33.

COUNTY LUNATIC ASYLUMS.

For additional allowance for support of county patients in the Essex county lunatic asylum, eighteen thousand dollars; Support of patients.

In the Burlington county lunatic asylum, two hundred dollars;

In the Atlantic county lunatic asylum, one thousand dollars.

34.

STATE HOME FOR BOYS.

Build trade school.

For a trade school building, twenty thousand dollars.

35.

BLIND AND FEEBLE-MINDED.

Maintain women.

For additional allowance for maintenance, support and instruction of feeble-minded women, three thousand dollars.

36.

HOME FOR FEEBLE-MINDED WOMEN, VINELAND.

Equipment.

For installation of electric machines and other industrial equipment, eight hundred dollars;

For installation of septic tank and full equipment for sewerage disposal plant, five thousand dollars.

37.

UNITED SPANISH WAR VETERANS ENCAMPMENT COMMISSION.

Hotel bill.

To Hotel Elberon, Atlantic City, for accommodations furnished to September twelfth, one thousand nine hundred and twelve, one hundred ninety-one dollars and fifty-eight cents.

38

COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF PUBLIC AFFAIRS IN BERGEN COUNTY.

Bergen county investigation.

To Garret A. Dawson, for services rendered and expenses incurred by order of the committee appointed to investigate the administration of public affairs in Bergen county, pursuant to resolution

adopted by the House of Assembly, April fifth, one thousand nine hundred and eleven, two hundred eighty-eight dollars and sixty-nine cents.

39.

STATE HOUSE COMMISSION.

Acquire adjoining property.

For the State House Commission for the purpose of acquiring, by purchase or by condemnation, in the name of the State, lands in the city of Trenton, with buildings thereon erected, and for any necessary removals, alterations, restoration, reconstruction and furnishing of the same, and improvement of the said lands, as included within chapter two hundred and forty-two of the laws of one thousand nine hundred and eleven, and any supplement thereto or amendment thereof, forty thousand dollars;

Vault, wall and grading.

For equipment of vaults for the State Treasurer, seven thousand dollars;

For filling in and grading on lands of the State up to the river wall, and extension of said wall, fifteen thousand dollars.

40.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

Department of charities.

For additional allowance for salaries of draughtsmen, two thousand five hundred dollars;

For additional allowance for clerical service, one thousand four hundred dollars;

For additional allowance for traveling expenses of commissioner and assistants, six hundred dollars;

For additional allowance for blanks, stationery, postage, et cetera, three hundred and fifty dollars;

For office furniture, three hundred dollars;

For salaries of inspectors, two thousand dollars;

For traveling expenses of inspectors, six hundred dollars;

For services of engineers, surveyors, and other technical services, as needed, two thousand five hundred dollars.

41.

REFUND OF RAILROAD TAX.

Refund overpayments.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to chapter two hundred and eighty-eight, laws of one thousand eight hundred and eighty-eight, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by said Comptroller, said payments shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose, as ascertained, is hereby appropriated.

42.

LEGISLATURE.

Salaries of officers and employees.

For additional allowance for compensation of officers and employees of the Legislature, seventeen thousand one hundred dollars;

For additional allowance for incidental and contingent expenses of the present session of the Legislature, six thousand two hundred dollars; all bills to be approved by the Committee on Incidental Expenses and filed with the Comptroller before final adjournment.

43.

PRINTING.

Printing.

For additional allowance for printing and binding public documents, fifteen thousand dollars;

For additional allowance for printing and circulation of the laws, two thousand dollars.

44.

PENSIONS.

For allowance to Randolph F. Disbrow, a pensioner of this State, as commutation for two hands lost at Yorktown, Virginia, October nineteenth, one thousand eight hundred and eighty-one, one hundred dollars. Pension.

45.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

For additional allowance for taxes improperly levied upon or paid by corporations, to be refunded, pursuant to law, one thousand dollars. Refund taxes.

46.

OFFICE OF THE TREASURER.

For salary of Deputy Treasurer, three thousand dollars; Treasury.

For additional allowance for blanks and stationery, three hundred and fifty dollars;

For premium on surety bond of the State Treasurer, seven hundred and fifty dollars.

47.

MORRIS CANAL INVESTIGATION COMMITTEE.

For expenses incurred by the committee appointed pursuant to Joint Resolution number ten, passed April twelfth, one thousand nine hundred and twelve, eight thousand six hundred dollars; Morris canal investigation.

For Bennet Van Syckel, for compensation as commissioner in the matter of the Morris Canal abandonment investigation, three thousand five hundred dollars;

For Edmund Wilson, for compensation as commissioner in the matter of the Morris Canal abandonment investigation, two thousand dollars.

48.

DEPARTMENT OF BANKING AND INSURANCE.

Salaries.

For additional allowance for assistants in the Department of Banking and Insurance, one thousand dollars;

For additional allowance for compensation of building and loan association examiners, two hundred dollars.

49.

STATE BOARD OF HEALTH.

Department of Health.

For additional allowance for blanks and stationery for use in the executive office and divisions of vital statistics and medical and sanitary inspection, five hundred dollars;

For additional allowance for maintenance of the bacteriological laboratory, five hundred dollars;

For additional allowance for blanks and stationery for the bacteriological laboratory, one hundred and forty dollars;

For additional allowance for postage required in sending to physicians of the State the annual report of the State Board of Health and of the Bureau of Vital Statistics, one hundred dollars;

For additional allowance for the purpose of carrying into effect the provisions of chapter two hundred and seventeen of the laws of one thousand nine hundred and seven, and the amendments thereof and supplements thereto, and chapter eighty-four of the laws of one thousand eight hundred and eighty-six, and the amendments thereof and supplements thereto, one thousand dollars;

For additional allowance for blanks and stationery for use in carrying out the provisions of laws relating to sewerage and water supplies, two hundred and thirty dollars;

For additional allowance for the purpose of carrying into effect the provisions of chapter twenty-four of the laws of one thousand nine hundred and twelve, one thousand dollars.

50.

COURT OF CHANCERY.

Court of chancery.

For additional allowance for the Chancellor, for salary, one thousand eight hundred fifty-four dollars and eighty-four cents;

For additional allowance for the Vice-Chancellors, for salaries, sixteen thousand dollars;

For additional allowance for rent of rooms in Atlantic City, Jersey City, Newark and Trenton, for use of the Chancellor, Vice-Chancellors, and Advisory Masters, one thousand two hundred and fifty dollars;

For additional allowance for compensation and allowance of Advisory Masters, four thousand five hundred eighteen dollars and twenty-five cents.

51.

VILLAGE FOR EPILEPTICS.

Buildings.

For additional allowance for the erection of a custodial building, fifty-five thousand dollars;

For additional allowance for erecting a hospital, eight hundred and thirteen dollars.

52.

ANNUITY FOR WIDOWS OF GOVERNORS.

Pension to widows of governors.

For additional allowance for the purpose of carrying into effect the provisions of chapter one hundred and forty-six of the laws of one thousand nine hundred and twelve, three thousand eight hundred and forty-five dollars and sixteen cents.

New Jersey State Library

53.

BOARD OF FISH AND GAME COMMISSIONERS, GAME FARM AND FISH HATCHERY.

Game farm. Hatchery.

For the completion of the game farm on the site purchased in Ocean county, and the fish hatchery on the site purchased in Warren county, including pools, ponds and lakes, dams, spring house, ice house, lodge house at entrance and iron gate, grading roads and macadamizing same and building tenant house, dwelling, storm channel, fences, sewerage system, machinery and tools, water system, pumping plant, auto truck, breeding pens and other incidental expenses, sixteen thousand four hundred dollars;

Engine in boat.

For new engines for the State boat "New Jersey," five thousand dollars.

54.

CONSTITUTIONAL AMENDMENTS.

Advertising.

To Pierson and Surdam, publishing proposed Constitutional amendments, session of one thousand nine hundred and seven, sixty dollars.

55.

SANATORIUM FOR TUBERCULOUS DISEASES.

Glen Gardner sanitarium.

For the purchase of furnishings in children's building, two thousand five hundred dollars;

For the purchase of furnishings in the superintendent's residence and administration building, two thousand dollars;

To purchase land or acquire rights on which to place a portion of the water system extension, one hundred dollars;

For construction of additional patients' shack and equipment, ten thousand dollars;

For amounts due the High Bridge Gazette and Trenton Times for advertising, eleven dollars and twenty cents;

To reimburse Mrs. Electra Sigler for damages to her property in the construction of the station road, fifty dollars.

56.

STATE BOARD OF CHILDREN'S GUARDIANS.

Children's guardians.

For additional allowance for the State Board of Children's Guardians, two thousand one hundred dollars.

57.

STATE BOARD OF AGRICULTURE.

Entomology.

For additional allowance for the State Board of Agriculture, for the purpose of carrying out the provisions of an act to prevent the introduction into and spread of injurious insects in New Jersey, to provide a method for compelling their destruction, to create the office of State Entomologist, to authorize inspection of nurseries and to provide for certificates of inspection, one thousand dollars.

58.

TUBERCULOSIS COMMISSION.

Consumption.

For additional allowance for expenses and payments by the State Tuberculosis Commission, five thousand dollars.

59.

RIPARIAN COMMISSION.

Riparian work.

For additional allowance for salaries and expenses incurred in the prosecution of the work of the commissioners, five thousand and fifty dollars.

60.

ATLANTIC COUNTY INVESTIGATING COMMITTEE.

Investigation expenses.

To Franklin H. Halliday, for services rendered and expenses incurred by order of the committee appointed to investigate election frauds in Atlantic county, pursuant to resolution adopted by the House of Assembly, January sixteenth, one thousand nine hundred and eleven, seven hundred thirty-six dollars and eighty-two cents.

61.

COMMISSION TO INVESTIGATE PORT CONDITIONS.

Expenses.

For expenses incurred by commissioners appointed pursuant to Joint Resolution number three, approved March twenty-ninth, one thousand nine hundred and eleven, six thousand four hundred and ten dollars.

62.

COMMISSION TO INVESTIGATE THE MANNER OF SELECTING JURIES.

Expenses.

For expenses incurred by commission appointed pursuant to Joint Resolution number nine, approved April first, one thousand nine hundred and twelve, seven hundred and fifty dollars.

63.

NEW JERSEY SCHOOL FOR THE DEAF.

Investigation expenses.

To Samuel Powis, Jr., for stenographic services rendered the State Board of Education in connection with the investigation of the New Jersey School for the Deaf, five hundred dollars; provided, said sum is received in full for all claims for said work, payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

Proviso.

64.

COMMISSION ON OLD AGE INSURANCE AND PENSIONS.

For expenses incurred by the commission appointed pursuant to chapter one hundred and ninety-eight, laws of one thousand nine hundred and eleven, six hundred dollars. Expenses.

65.

COMMISSION TO REVISE AND CODIFY MECHANICS' LIEN LAW.

For expenses incurred by the commission appointed pursuant to chapter three hundred and twenty-one, laws of one thousand nine hundred and twelve, two thousand dollars. Expenses.

66.

SEA GIRT COTTAGE.

For maintenance of cottage at Sea Girt and entertainment therein, three thousand dollars. Governor's house.

67.

NEW JERSEY SHIP CANAL COMMISSION.

For amount expended by commission and advanced prior to appropriation made in the year one thousand nine hundred and twelve, five thousand nine hundred seventy-four dollars and sixty-four cents; Ship canal.

For amount expended by commission and advanced since the appropriation for the year one thousand nine hundred and twelve, one thousand five hundred twenty-two dollars and fifty cents;

For amount of sundry bills due, one thousand one hundred seventy-eight dollars and eighty-six cents;

For amount due William F. R. Griffiths, surveyor, to enable him to complete work from Bordentown to near Jamesburg, at prices agreed upon between him and the commission, two thousand six hundred and ninety-eight dollars and thirty cents.

For incidental office and clerical expenses to May first, one thousand nine hundred and thirteen, one thousand dollars.

68.

COMMISSION UPON REORGANIZATION AND CONSOLIDATION OF INTER-RELATED DEPARTMENTS OF STATE.

Commission on efficiency.

For the purpose of carrying into effect the provisions of Joint Resolution number six, approved April first, one thousand nine hundred and twelve, four thousand eight hundred and seventy-six dollars and ninety-one cents.

69.

INVESTIGATION OF THE HOME FOR DISABLED SOLDIERS, KEARNY.

Kearny home investigation.

To William G. Dassing, for stenographic services rendered the joint committee in the matter of the investigation of the Home for Disabled Soldiers, and for furnishing copies of testimony, four hundred and twenty-two dollars.

70.

WESTERN RELIEF FUND.

Flood sufferers.

To carry into effect concurrent resolution of March twenty-seventh, one thousand nine hundred and thirteen, for the relief of the sufferers from floods and fire in the western states, ten thousand dollars.

71.

STATE BOARD OF TENEMENT HOUSE SUPERVISION.

For additional allowance for two inspectors, at the rate of one thousand two hundred dollars each, one thousand two hundred dollars; Additional inspectors, clerk, etc.

For additional clerk, six hundred and seventy-five dollars.

For additional allowance for incidentals, postage and expressage, five hundred dollars.

72.

STATE HOSPITAL AT TRENTON.

For additional allowance for patients, being the amount earned in excess of the amount appropriated therefor, for the fiscal year ending October thirty-first, one thousand nine hundred and twelve, ten thousand two hundred and ninety-one dollars; Trenton asylum.

For additional allowance for fire insurance premiums, three thousand dollars;

For replacing cotton rubber-lined hose, one thousand dollars;

For lumber for new floors, fences and general repairs, two thousand five hundred dollars;

For new furniture, one thousand dollars;

For covering corners of campaniles at annex with copper, one thousand dollars;

For materials consisting of lead, oils, et cetera, for painting, one thousand dollars;

For electrical supplies and labor, one thousand dollars;

For carload of terra cotta pipe, four hundred and eighty dollars;

For renailing ceilings, top floor annex additions, six hundred dollars;

For repairs to the medical directors' residence, two thousand dollars;

For additional allowance for two new boilers, incident to contract of one thousand nine hundred and twelve, thirty-six dollars sixty-nine cents.

73.

INSURANCE INVESTIGATION COMMITTEE.

Expenses. For expenses incurred by the committee appointed pursuant to resolution adopted by the House of Assembly, February third, one thousand nine hundred and thirteen, five thousand dollars.

74.

NATIONAL GUARD.

Military. For additional allowance for uniforms and equipment of officers in the National Guard and Naval Reserve, as provided in section one hundred and twenty-seven of "An act concerning the militia of the State," approved May sixteenth, one thousand nine hundred and six, for the fiscal year ending October thirty-first, one thousand nine hundred and twelve, five hundred dollars;

For amount required to return to the current appropriation for maintaining heating and lighting armory at Jersey City, an amount withdrawn through error in the payment of bill of Thomas Brown and Bros., from that appropriation, seven hundred and seventy-three dollars;

For payment of claim of Gerhard Selek, first battalion, naval reserve, for injury while in State service, two hundred seventy-nine dollars;

For deficit in appropriation for construction of Elizabeth armory, three hundred and twenty-two dollars and eighty-four cents;

For amount required for settlement of Spanish-American War claims, under act of March twenty-second, one thousand eight hundred and ninety-nine, seventy-five dollars;

For reimbursement to the second regiment for moneys advanced to defray the expenses of operation, medical attendance and funeral of Lieutenant Frederick L. Condict, Company H, whose death

occurred while in camp at Mt. Gretna, Pa., July twenty-first, one thousand nine hundred and twelve, two hundred seventy-eight dollars ninety-nine cents.

The unexpended balance of the amount appropriated by chapter twelve, laws of one thousand nine hundred and thirteen, approved February nineteenth, one thousand nine hundred and thirteen, is hereby reappropriated for the object specified in said chapter.

75.

STATE HOSPITAL AT MORRIS PLAINS.

Morris Plains asylum.

For bills for advertising, sixty-eight dollars and thirty-eight cents;

For bill of C. A. Reed, on account of Hope property, one hundred forty-three dollars and sixty-nine cents;

For transferring county patients for the years one thousand nine hundred and nine to one thousand nine hundred and twelve, one hundred fifty-three dollars and sixty-five cents;

For power plant equipment, ten thousand dollars;

To J. J. Lyons for additional work on cottage for male nurses, six hundred and thirty-four dollars and seventy cents;

For additional allowance for salaries of officers, one thousand five hundred dollars;

For expense account for deporting patients to other States and foreign countries, one thousand dollars;

For materials for concrete walks, two thousand dollars;

For additional electric wiring, ten thousand dollars;

For replacing telephone cable and installing additional interior telephones, one thousand two hundred dollars;

For amusement and recreation fund, one thousand dollars;

For fire protection apparatus, nine hundred and seventy-five dollars;

For cold storage room and connection to present plant, one thousand two hundred dollars;

To continue eugenic field work, seven hundred and fifty dollars;

76.

STATE PRISON.

State prison.

For additions and repairs to library, one thousand dollars;

For deep water pump, one thousand dollars;

For additional allowance for maintenance of principal keeper and resident physician, pursuant to chapters one hundred and sixty-three and two hundred and forty-four, of the laws of one thousand nine hundred and six, three hundred dollars;

For surgical instruments and equipment, five hundred dollars;

For bureau of identification, two hundred dollars;

For metal ceiling, three hundred dollars;

For the relief of William B. Turner, pursuant to chapter fifty-three, laws of one thousand nine hundred and thirteen, two hundred thirty-one dollars and sixty-five cents;

The following sums are appropriated, provided necessary legislation is enacted authorizing the securing of a farm for the working of prisoners committed to the State Prison:

For stock and implements, six thousand dollars;

For buildings, fencing and fixtures, ten thousand dollars;

For provision and furniture, one thousand dollars;

77.

NEW JERSEY REFORMATORY.

For materials for foundry building, five thousand dollars; Foundry and stock buildings.

For additional stock buildings, one thousand four hundred dollars.

78.

STATE HOME FOR GIRLS.

For completing central heating plant, three thousand five hundred dollars; Girls' home.

For fire-escapes and general fire fighting apparatus, two thousand five hundred dollars;

For enlargement to storeroom, five hundred dollars;

For topographical survey and map, three hundred eighty-seven dollars and fifty cents;

For clearing and planting seven-acre lot, five hundred dollars.

79.

STATE REFORMATORY FOR WOMEN.

For alterations to small farm house, five hundred dollars; Women's reformatory.

For small cottage for help, four thousand dollars;

For expenses of managers, three hundred dollars.

80.

NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS, MARINES AND THEIR WIVES AND FOR THEIR WIDOWS AT VINELAND.

For plumbing, steamfitting, gasfitting, electric work and repairs, six hundred dollars; Vineland soldier's home.

For office equipment, five hundred dollars;

For the purchase of three large fire extinguishers and ten small fire extinguishers, one thousand and ten dollars.

81.

STATE AGRICULTURAL COLLEGE.

College farm. For maintenance and development of college farm grounds, two thousand dollars;

For moving and repairing of farm buildings, two thousand dollars;

Summer school. For short courses in agriculture, summer session, six thousand dollars.

82.

AGRICULTURAL EXPERIMENT STATION.

Experiment station. For additional allowance for salaries and expenses of the Agricultural Experiment Station, three thousand dollars;

For additional allowance for the purpose of carrying out the provisions of "An act to provide for the locating and abolishing the mosquito-breeding salt marsh areas within the State, for assistance in dealing with certain inland breeding places, and appropriating money to carrying its provisions into effect," approved April twentieth, one thousand nine hundred and six, fifteen thousand dollars;

For additional allowance for scientific investigation of oyster propagation, pursuant to chapter one hundred eighty-seven, laws of one thousand nine hundred and seven, three hundred dollars;

For repairs and improvements to experiment station building, one thousand dollars;

For the purpose of meeting the expenses of the experiment orchards at Vineland and High Bridge, five thousand six hundred twenty-nine dollars and sixty-eight cents;

All fees and receipts of the experiment station received under the provisions of chapters one hundred and seventy-nine, and two hundred and eighteen, laws of one thousand nine hundred and twelve, are hereby appropriated for the uses and purposes expressed in said chapters.

83.

SAN FRANCISCO EXPOSITION COMMISSION.

To the San Francisco Exposition Commission, for the uses and purposes expressed in chapter twenty-five, laws of one thousand nine hundred and twelve, and any amendment thereof or supplement thereto, twenty-five thousand dollars. Exposition.

84.

COMMITTEE TO INVESTIGATE CIVIL SERVICE AND PENSION LAWS.

For the amounts due the Evening Journal Association and the Hudson Observer, for advertising notices, for the committee appointed pursuant to resolution adopted by the House of Assembly March twenty-first, one thousand nine hundred and twelve, forty dollars and thirty cents. Advertising.

85.

VALLEY FORGE REVOLUTIONARY ENCAMPMENT COMMISSION.

For expenses of dedicating the Valley Forge monument, one thousand eight hundred dollars. Dedication.

86.

COMMISSION ON NAVIGATION OF PASSAIC RIVER.

For expenses incurred by the commission appointed pursuant to chapter one hundred and seventy-three, laws of one thousand nine hundred and Expenses.

twelve, nine hundred forty-four dollars and thirty-five cents.

87.

COAL INVESTIGATION.

Expenses. For expenses incurred by the committee appointed pursuant to resolution adopted by the House of Assembly January twenty-seventh, one thousand nine hundred and thirteen, three thousand dollars.

88.

PRISON LABOR COMMISSION.

Buy farm and expenses. For purchase of a farm, twenty-one thousand dollars;

For expenses of the commissioners, two thousand five hundred and fifty dollars.

89.

PUBLIC ROADS.

Roads. For State Road Fund, pursuant to chapter three hundred and ninety-six, laws of one thousand nine hundred and twelve, one hundred and sixty-five thousand dollars;

For carrying into effect the provisions of chapter two hundred and twenty-three, laws of one thousand nine hundred and twelve and any supplements thereto and amendments thereof, seventy-five thousand dollars;

For automobiles for highway engineers, five thousand dollars;

For tax data, one thousand five hundred dollars;

For expenses of department, five hundred dollars;

For salary of one division highway engineer, one thousand dollars.

2. The following sum is hereby appropriated out of the income of the school fund for the purpose specified, for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and thirteen:

I.

SCHOOL FUND EXPENSES.

Expenses pertaining to school fund.

For the payment of assessments on grading, paving, curbing flagging and draining on property held by the school fund, and for expenses in the foreclosure of mortgages, four thousand five hundred dollars;

Approval of plans and contracts by Governor.

3. Before any building or buildings shall be commenced or work undertaken for the cost of which money is appropriated by this act or by the appropriation act for the fiscal year ending October thirty-first, one thousand nine hundred and fourteen, the plans, specifications and contracts necessary for the entire completion thereof shall, and each of them shall, be submitted to and approved by the Governor, and such contracts shall not be approved or entered into if the total expenditure under all of the contracts necessary to the entire completion of such building, buildings or work according to such plans and specifications shall exceed the amount appropriated by this act for such building, buildings or work; and in any and every case where it shall appear that the appropriation is insufficient to complete such building, buildings or work, the appropriation hereby made therefor shall not be applied toward the construction of such building or buildings, or prosecution of such work, but shall lapse and no payment shall be made therefrom.

If appropriation insufficient, to lapse.

Moneys used as specified.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated in this act and in the act to which this act is a supplement, and except such sums which

are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, United States appropriation for disabled soldiers, United States appropriation for disabled soldiers, sailors, marines and their wives, Agricultural College fund and taxes for the use of taxing districts in this State moneys received pursuant to the laws relating to motor vehicles, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous year, nor of any payments into the State treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven (chapter two hundred and eighty-eight, laws of one thousand nine hundred and seven), which moneys by the provisions of chapter forty-one, laws of one thousand nine hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners as license fees, under any of the fish and game laws of the State, which moneys may be paid out as others moneys of the State; *provided, however,* that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison as receipts for the labor of inmates of those institutions.

Proviso.

5. This act shall take effect immediately.

Approved April 8, 1913.

CHAPTER 277.

An Act to amend an act entitled "A further supplement to an act entitled 'An act concerning roads,'" approved March twenty-seventh, one thousand eight hundred and ninety-four, which further supplement was approved March twenty-fourth, one thousand eight hundred and ninety-nine.

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

Section 1 amended.

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

Township surveyors.

1. The legal voters of each township in this State shall elect, at each annual township election for the township, two surveyors of the highways; *provided, however,* that in any county having within its limits not more than three townships, the legal voters of each of such townships shall, at each annual election therein, elect three surveyors of the highways; each surveyor of the highways hereafter elected shall hold office for the term of one year from and including the first day of January next after his election; every vacancy shall be filled by the township committee for the unexpired term only.

Proviso.

Term.

Vacancy.

Section 2 amended.

2. The second section of the supplement to which this act is an amendment is hereby amended so as to read as follows:

Oath.

2. Every surveyor of the highways shall after the date of his election and on or before the first day of January next ensuing such election, and in case of his appointment to fill a vacancy then within ten days after such appointment, take, subscribe and file with the county clerk an official oath or affirmation that he will, to the best of his ability and

understanding, faithfully, justly and impartially execute the duties of his office; the official oath or affirmation may be taken before the township clerk, who shall take the same without fee or before any other officer authorized by the laws of this State to administer oaths and affirmations; on his failure to file such oath or affirmation with the county clerk within the time hereinabove limited, his office shall be deemed to be vacant.

Section 3 amended.

3. There shall be a new section, to be known as section three, and which shall read as follows:

Failure to take oath.

3. Any person who may have been duly elected surveyor of the highways at the last annual township election, and who may not have taken, subscribed and filed the official oath or affirmation prescribed in the next preceding paragraph hereof, shall, within thirty days after the approval of this act, take, subscribe and file such official oath or affirmation as aforesaid, which shall be taken and deemed a sufficient compliance with the statutory requirements in respect thereto, and on the failure of any such person to file such oath or affirmation within that time the said office shall be deemed ed to be vacant.

4. This act shall take effect immediately.

Approved April 8, 1913.

CHAPTER 278.

An Amendment to an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

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

Section 3 amended.

1. Section three, subdivision four, of said act, be amended so as to read as follows:

Schools, colleges, libraries, churches, etc., exempt.

4. All buildings actually used for colleges, schools, academies seminaries, associations and corporations organized exclusively for the moral and mental improvement of men or women, or for religious, charitable, benevolent or hospital purposes, or for one or more such purposes, not conducted for profit; also all buildings actually and exclusively used for public libraries, religious worship or for asylums or schools for feeble-minded or idiotic persons and children, and owned by corporations of this State authorized to carry on such charities; the land whereon the same are situated necessary to the fair use and enjoyment thereof, not exceeding five acres in extent for each; the furniture thereof and personal property used therein, and the endowment or fund held exclusively for the charitable, benevolent or religious purposes of the corporation owning such buildings; the parsonage and land whereon the same stands to an amount not exceeding five thousand dollars owned by any religious corporation of this State while actually used by the officiating clergyman thereof; also all buildings used exclusively for purposes considered charitable under the common law, or belonging to any association or incorporated company formed for the purpose and actually engaged in the work of preventing cruelty to animals, with the land whereon the same are erected and which may be necessary for the fair enjoyment thereof, and the furniture and personal property used therein; the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, or for the widows of deceased members, or for the education, support or maintenance of the children of deceased members and all endowments and funds held and administered exclusively for charitable, benevolent, religious or hospital purposes within this State, however such endowments and funds may be invested; no buildings used for any such purposes which may be hired for

Charitable institutions.

Extent of exemption.

rental, paid to a landlord, shall be exempt. The exemption described in this paragraph of a building and land used for charitable, benevolent or religious purposes shall extend to cases where the said building and the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of the beneficiaries using or occupying the said building provided the building is wholly controlled ond the entire income therefrom is used for said charitable, benevolent or religious purposes.

2. This act shall take effect immediately.

Approved April 8, 1913.

CHAPTER 279.

An Act to amend an act entitled "An act to establish a State system of highways providing for their construction, improvement, maintenance, repair, and regulation of the use thereof and for a road fund and its disbursement in lawful expenditures appertaining to roads," approved April fifteenth, one thousand nine hundred and twelve.

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

Section 9 amended.

1. Section nine of said act is hereby amended so as to read as follows:

Commissioner of roads to take charge.

9. The State Commissioner of Public Roads is hereby directed to take charge of the construction, improvement maintenance and repair of State highways, and maintain the same in good order. All work of construction and improvement shall be done in accordance with plans and specifications prepared by the State Department of Public Roads. All work of maintenance and repair shall be done at the expense of the State.

2. Section sixteen of said act is hereby amended so as to read as follows: Section 16 amended.

16. No State highway shall extend into any city of a population exceeding sixteen thousand in number, as determined by the most recent census, whether taken by the State or the United States Government. The State Commissioner of Public Roads may enter into a written contract with any municipality for the proper maintenance and repair by said municipality of such streets and roads in the same as may form proper connections through said municipality between State highways. Such contracts, before becoming binding, shall be approved by the State Highway Commission and shall terminate on the thirty-first day of October in each and every year. Cities not included in system.

3. Section nineteen to be amended so as to read as follows: Section 19 amended.

19. For the purpose of extension, construction, improvement, maintenance, repair or straightening of the State Highways, it shall be lawful for the State Commissioner of Public Roads, with the assent and approval by the State Highway Commission of its terms and conditions, to enter into written agreement with any board of chosen freeholders, or other public body, or any person or corporation, for co-operation on an equitable basis of share in cost of such work, and to assume any portion of that cost. Such board or public body may raise their proportionate share of such cost in accordance with the provisions of any law providing for State aid in road improvement or maintenance. Upon approval by the said commissioner of the certificate of the inspector and engineer in charge of the work that the same has been satisfactorily completed in whole or in part, according to contract, plans and specifications, the disbursing officer of said board or body shall pay its share of the whole or partial cost to the State Commissioner of Public Roads, who shall disburse the same for the purposes of this act. Proposition assumed by state. How amount raised. Payment to road commissioner.

Right to acquire necessary material.

The said commissioner for the above purposes and with the approval as aforesaid of the State Highway Commission may enter into a contract with any person, company, firm or corporation, public or private, for the acquisition of any necessary lands, or of gravel pits or other natural deposits of road materials advantageously located to the State highways, and may take title in the name of the State.

Section 28 amended.

4. Section twenty-eight of said act shall be amended so as to read as follows:

Constitutionality of sections.

28. In case any clause, proviso or section of this act shall be attacked in any court and shall be declared to be invalid or unconstitutional, the clause, proviso or section so declared to be invalid or unconstitutional shall be exscinded from this act, but the remainder of the act shall stand.

Approved April 8, 1913.

CHAPTER 280.

A Supplement to 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, eighteen hundred and eighty-eight," approved March twentieth, eighteen hundred and eighty-nine.

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

Licenses per 500 population.

1. Hereafter no license to keep an inn or tavern or to sell spirituous, vinous, malt or brewed liquors in quantities less than one quart, in any city, town, township, borough or village, shall be granted by any court, excise board or other board or authority having power by law to grant license, unless or until the ratio of population therein to the number of licenses issued shall be greater than

five hundred to one, and then only pursuant to the provisions of this act; but this prohibition shall not apply to any premises in which the business of so selling said liquors was lawfully carried on at some time within one year immediately preceding the passage of this act, provided such business was not abandoned thereat during the said period, or to a hotel having at least fifty spare rooms and beds for the accommodation of boarders, transient and travelers, or to a picnic or recreation ground comprising at least one acre, or to a building entirely occupied by a regularly organized club or association, *provided, however,* that in any city bordering upon the Atlantic ocean the population shall be taken to include the transient population and such population shall be computed as of the first day of August in any year. *Provided, however,* that at any time during the unexpired term of any license issued for any premises, a notice stating that such business is abandoned at the premises named in such license may be filed with the clerk of the court or board or authority granting such license, which notice shall also particularly describe some other premises in which it is intended to carry on such business, which other premises shall be situated in the same city, town, township, borough or village as that in which the abandoned premises are located, and shall not come within the inhibition of the act to which this act is a supplement or any amendment thereof. Such notice shall be in writing and executed and acknowledged by the license holder and by any person to whom such license may have been transferred or assigned as collateral security for moneys loaned or any other obligation incurred; but such notice shall be null and void unless within sixty days from the filing thereof, such business shall be lawfully carried on at the premises described in such notice as the premises in which it is intended to carry on such business. After the filing of such notice, as aforesaid, the prohibition

When act not applicable.

Proviso.

Proviso.

Notice of abandonment.

After filing notice.

herein contained shall not apply to the premises described in such notice as the premises in which it is intended to carry on such business, provided that an application for a license to carry on such business thereat shall be made in due form to the proper authority, within sixty days from the filing of such notice, and be favorably passed on by such authority, and provided further that such business is continuously thereafter carried on at said premises for a period not less than one year. Except in a case where such notice becomes null and void, as aforesaid, no license for such sale of said liquors shall thereafter be issued for, and it shall be unlawful to so sell such liquors in the premises described in such notice as the premises in which such business has been abandoned, unless there shall subsequently be filed another notice of abandonment, in the manner herein provided, which notice shall describe such first abandoned premises as the premises in which it is intended to again carry on such business. Whenever the ratio between the population of any city, town, township, borough or village, and the number of licensed premises situate therein for such sale of said liquors shall exceed the ratio of five hundred to one, additional licenses for sale of such liquors therein in quantities less than one quart may be issued, at the discretion of the licensing authority, but only in the manner following.

No license for abandoned place.

When additional license may be granted.

Notice that bids for license will be received.

The court, excise board or other authority having power to issue licenses within such city, town, township, borough or village shall, upon the written request of any person who states that he desires to obtain a license to sell said liquors therein in quantities less than one quart give public notice that on a certain day named it will receive bids in writing, at the clerk's office, from all persons who desire to so sell said liquors, such bids to contain the name of the person who desires to procure a license, the location of the proposed

premises and the amount that such person is willing to pay in order to obtain such license. Each bid shall be accompanied by an application, in due form, for such a license for the premises described, and the amount named in the bid, in the form of a certified check, which amount shall at least equal the license fee in such city, town, township, borough or village; and the bid, together with the application for the license, shall be enclosed in one envelope, securely sealed, and addressed to the licensing authority. Such notice shall be published at least five days before the day named for receiving bids, in one newspaper published in the county in which such city, town, township, village or borough is situated, which shall be a newspaper published in such city, town, township, village or borough, if there be one, and such notice shall also be printed and posted in at least five public places in such city, town, township, village or borough, at least ten days before the day so appointed for receiving bids. On the day so appointed for receiving bids, the licensing authority shall receive all bids that may be submitted to it, as herein prescribed, and on the following day shall, at a time and place to be specified in the notice aforesaid, publicly open each and all of such bids submitted, and as soon thereafter as possible, prepare a list which shall contain the name of each person who submitted a valid bid, together with the amount thereof, which list shall be a public record. Licenses shall thereupon be issued, pursuant to the provisions of this act, to the persons acceptable to the licensing authority who made the highest bids therefor, and otherwise complied with the requirements of law, but only upon the basis of one license for each five hundred population in excess of the ratio herein prescribed, the issuance of such licenses to be made in order to the highest bidders therefor, who comply with all such requirements and are acceptable to the licensing authority.

Application.

Publication of notice.

Bids opened.

Highest bidder licensed.

Basis of licensing.

As to validity of act.

If any portion or portions of this act shall be declared unconstitutional or invalid for any reason, the remainder shall not be affected thereby.

2. This act shall take effect immediately.

Approved April 8, 1913.

CHAPTER 281.

An Act to promote home life for dependent children.

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

Widow may petition court.

1. Any widow who is the mother of a child or children under the age of sixteen, and who is unable to support them and to maintain her home, may present a petition for assistance to the Court of Common Pleas of the county wherein she resides.

Petition to show.

2. Such petition shall be verified and shall set forth the following:

Names, dates, deaths, etc.

(a) Her name, the date of the death of her husband, the names of her children, and the dates and places of their birth and the time and place of her marriage.

Residence.

(b) Her residence and the length of time that she has been a resident of the State, the length of time she has lived at said residence and the address or addresses of her place or places of abode for the previous five years, and the date, as near as possible, when she moved in and when she left said place or places of residence.

Prosperity.

(c) A statement of all the property belonging to her and to each of her children, which statement shall include any future or contingent interests which she or any of them may have.

Efforts

(d) A statement of the efforts made by her to support her children.

(e) The names, relationships and addresses of all her and her husband's relatives, that may be known. Relations.

3. A copy of the petition provided for in section two hereof and a notice of the time and place when it will be presented to the court must be served on or mailed to the overseer of the poor having jurisdiction over the district wherein the petitioner resides and the Board of Children's Guardian's at least five days before such time. Officials notified.

4. Upon the return of the petition and notice the court shall examine under oath all who desire to be heard; *provided, however,* that the New Jersey State Board of Children's Guardians shall before said hearing examine into the truth of the facts set forth in the above-mentioned petition and shall file a report of its findings with the court, setting forth in full the results of its investigation. The court may, in its discretion, issue subpœnas for the attendance of witnesses and adjourn the hearing from day to day; *and provided, however,* the court may refer said matter to a commissioner to be appointed by the court to hear such witnesses as shall be produced by the petitioner, or the State Board of Children's Guardians or others. Said commissioner shall make a report to the court setting forth the facts as proven before him. Examination. Proviso. Proviso. Report.

5. If, upon the completion of the examination provided for under section four hereof, the court concludes that, unless relief is granted, the mother will be unable to properly support and educate her children, and that they may become a public charge, it shall make an order committing said family to the care of the State Board of Children's Guardians, and directing that there shall be paid to the mother, through the State Board of Children's Guardians, monthly out of the county funds the following amounts for the maintenance and support of the children under sixteen: nine dollars for one such child, fourteen dollars for two and four dollars for each additional child. Order of court. Monthly rates paid by counties

Observation by authority.

6. It shall be the duty of the State Board of Children's Guardians to see that any widow committed to its care, pursuant to the provisions of this act is properly caring for her children, that they are sufficiently clothed and fed, that they attend school regularly and receive proper religious instruction; and that said family shall be visited at least six times a year. The State Board of Children's Guardians shall report immediately to the court that had the original jurisdiction in the case of any widow who does not properly care for and educate her child or children, or when they find that she is an improper guardian for said child or children, or when they find that she no longer needs such support. The court shall thereupon revoke or cancel any order made pursuant to this act, at any time with or without notice, and in lieu thereof make any order that in the judgment of the court may protect the welfare of the child or children, or may make an order committing said child or children to the care, custody and control of the New Jersey State Board of Children's Guardians, said child or children so committed to their care to be held by said New Jersey State Board of Children's Guardians pursuant to a statute 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, one thousand eight hundred and ninety-nine, and the various supplements and amendments thereto.

If failure shown.

Revocation.

Further order.

Act to govern.

No fees allowed.

7. No fees or costs shall be paid or allowed by the court for any proceedings held pursuant to this act, nor shall any counsel fee be ordered or collected from any party applying to the court.

pursuant to the provisions of this act. All proceedings pursuant to this act shall be in forma pauperis.

Approved April 9, 1913.

CHAPTER 282.

A Supplement to an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, the title to which act was amended to read as above set forth by an act approved April second, one thousand nine hundred and twelve.

Preamble.

WHEREAS, The cardinal principle sought to be obtained by means of the above-entitled act was the concentration of the power and responsibilities of municipal government in one elective board, and it is deemed expedient that the operation of said act upon its adoption should be made clear in this regard; therefore,

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

Existing boards abolished.

1. Whenever the provisions of the act to which this act is supplemental have been adopted by any municipality, either prior or subsequent to the passage of this act, all boards and bodies, whether State or local municipal agencies, then existing in such municipality (except the board of education and the district court or courts) shall be ipso facto abolished, and all the powers and duties devolved by law upon such boards and bodies shall pass to, vest in and be performed by the board of commissioners elected under the provisions of the

Exception.

Proviso.

act to which this act is supplemental; *provided, however,* that nothing in this act contained shall be construed to prohibit the creation of subordinate boards as authorized by paragraph four of section four of said act to which this act is supplemental.

Enacting clause of ordinances.

2. The enacting clause of all ordinances passed by the board of commissioners shall be "The Board of Commissioners of the (insert name of municipality) do ordain," and all proceedings for the recovery of penalties for the violation of the ordinances of the municipality shall be commenced and prosecuted in the corporate name of the municipality.

Powers of commissioners.

3. The board of commissioners shall have, possess and exercise all the power that shall be granted to the boards and bodies supplanted by it, by laws enacted subsequently to the organization of said board, unless such power shall be expressly withheld.

4. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 283.

An Act for the relief of Frank O. Briggs, former State Treasurer.

Preamble.

WHEREAS, In the month of November, one thousand nine hundred and two, there was on deposit to the credit of the then State Treasurer in the Monmouth Trust and Safe Deposit Company of Asbury Park, New Jersey, the sum of seven thousand dollars ($7,000) of the funds of this State, which there remained until the said bank failed, in the year one thousand nine hundred and three; and

WHEREAS, There has been paid to the State in dividends by the receiver of said bank the sum

of four thousand five hundred and sixty-seven dollars and fifty cents ($4.567.50), leaving a deficit or loss of two thousand four hundred thirty-two dollars and fifty cents ($2,432.50), for which Frank O. Briggs, late Treasurer of this State is responsible, because of the failure of such bank during his tenure of office; therefore,

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

Obligation cancelled.

1. Said Frank O. Briggs be and he is relieved of and released from all and every liability for or on account of the loss of such sum, two thousand four hundred thirty-two dollars and fifty cents (($2,432.50) and of any obligation to pay the same into the State treasury.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 284.

A Further Supplement to the act entitled "An Act to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State," approved April third, one thousand nine hundred and two.

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

Value of bonds, etc.

1. All bonds or other evidences of debt held by any life insurance corporation authorized to do business in this State may, if amply secured and if not in default as to principal or interest, be valued as follows: If purchased at par, at the par value; if purchased above or below par, on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield meantime the effective rate of interest at which

Proviso. the purchase was made; *provided,* that the purchase price shall in no case be taken at a higher figure than the actual market value at the time

Proviso. of purchase: *and provided further,* that the Commissioner of Banking and Insurance shall have full discretion in determining the method of calculating values according to the foregoing rule, and the values found by him in accordance with such

Proviso. method shall be final and binding; *provided, also,* that any such corporation may return such bonds or other evidences of debt at their market value or their book value, but in no event at an aggregate value exceeding the aggregate of the values calculated according to the foregoing rule.

Act how construed. 2. This act shall not be construed to apply to any insurance corporations authorized to do business in this State which shall not elect to value their bonds and other evidences of debt by amortization as herein provided.

3. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 285.

An Act to prohibit the manufacture, sale and use of golf balls containing a fluid substance, acid or corrosive in character.

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

Make or sale of certain golf balls prohibited. 1. No person, persons or corporation shall hereafter manufacture or sell within the State of New Jersey any golf ball containing a fluid substance, acid or corrosive in character. Any person, persons or corporation manufacturing or selling such a ball in this State shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 286.

An Act for the relief of John F. Conover.

Preamble.

WHEREAS, John F. Conover, a resident of Atlantic City, State of New Jersey, has been for several years in possession of oyster beds and planted the same with oysters in Eagle bay, in Atlantic county, the same being held by virtue of lease for oyster grounds from the State of New Jersey; that while said John F. Conover was still in use and possession thereof with sixty-five hundred bushels of oysters planted thereon, and during the month of November, one thousand nine hundred and eleven, by reason of the digging out of and making of the inland waterway by the State of New Jersey, as provided for by an act of the Legislature of New Jersey, entitled "An act to establish a department of inland waterways," approved March seventeenth, one thousand nine hundred and eight, the natural currents and tides of Eagle bay and waters adjacent thereto were altered, changed and diverted so that and by reason thereof mud, sand and other matters was carried by the tides and deposited on the oyster bed and oysters of the said John F. Conover so that the beds and oysters were covered up and whereby the oysters were smothered, destroyed and killed and become worthless; and

WHEREAS, The oysters destroyed as aforesaid consisted of about forty-four hundred bushels of the value of thirty-five hundred dollars;

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

Reimbursed for loss of oysters.

1. There be included in the act making appropriations for the State government for the year

one thousand nine hundred and thirteen, the sum of thirty-five hundred dollars, to be paid to the said John F. Conover by the Treasurer of the State of New Jersey upon the warrant of the Comptroller upon the presentation of a proper certificate.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 287.

An Act to amend an act entitled "An act to amend an act 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 a wrongful act, neglect or default," ' " approved March third, one thousand eight hundred and forty-eight, which amendatory act was approved March thirty-first, one thousand eight hundred and ninety-seven, which amendatory act was approved May eighth, one thousand nine hundred and seven.

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

Section 2 amended.

1. Section two of an act entitled "An act to amend an act 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 a wrongful act, neglect or default," ' " approved March third, one thousand eight hundred and forty-eight, which amendatory act was approved March thirty-first, one thousand eight hundred and ninety-seven, which amendatory act was approved May eighth, one thousand nine hundred and seven, is hereby amended so as to read as follows:

By whom action brought.

2. Every such action shall be brought by and in the names of their personal representatives of such deceased person, and the amount recovered

in every such action shall be for the exclusive benefit of the widow, surviving husband, and next of kin of such deceased person, and shall be distributed to such widow, surviving husband, and next of kin, their proportion provided by law in relation to the distribution of personal property left by persons dying intestate; and in every such action, the jury may give such damages as they shall deem fair and just with reference to the pecuniary injuries resulting from such death to the wife, surviving husband, and next of kin of such deceased person; *provided,* that where such deceased person has left or shall leave him or her surviving a widow or husband but no children or descendant of any children and no parents, the widow or surviving husband, as the case may be, shall be entitled to the whole of the damages which she or he shall sustain, and which shall be hereinafter recovered in any such action, and the same shall be paid to her or to him; *and provided further,* that every action shall be commenced or sued within two years after the death of such deceased person and not after.

Distribution of amount recovered.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 288.

A Supplement to an act entitled "An act respecting conveyances (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight.

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

1. When any deed of conveyance or instrument of the nature or description set forth in the twenty-first section of the act to which this act is a supplement shall, for a period of ten years or more,

Value of recorded instrument.

have stood on record in any of the lawful books of record in this State appropriate for such deed or instrument, the record of such deed or instrument after the passage of this act shall be and become notice to all persons thereof; and such deed or instrument, the said record and certified copies thereof, shall be received in evidence in any court, and shall be as effectual as if the original deed had been produced and proved, notwithstanding any informality, imperfection, uncertainty or defect in the acknowledgment or proof of such deed or instrument or of the certificate thereof; *provided, however*, that the officer taking such acknowledgment shall have certified that the person or persons acknowledging such deed or other instrument aforesaid were known to him to be the persons named therein, and who executed the same, or that he was satisfied that such person or persons was or were the grantors or makers in such deed or other instrument named, and that the person or persons so executing such deed or other instrument acknowledged to such officer that he or they executed the same.

Used in evidence.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 289.

An Act to authorize the acquisition by the Prison Labor Commission of lands for the employment of State prisoners in agricultural and similar pursuits, and in the quarrying of stone and preparation of building and road materials, and making appropriations therefor.

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

1. The Prison Labor Commission is hereby authorized to acquire, by gift, purchase, condemna-

Acquire farms and quarries.

tion or otherwise, in the name of and for the use of the State of New Jersey, so much land for agricultural and quarry purposes as may be selected for that purpose by said commission. If condemnation is necessary, proceedings shall be had pursuant to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900)," approved March twentieth, one thousand nine hundred, and its amendments and supplements. The title of the said lands shall be first approved by the Attorney-General. On the approval of said title by the Attorney-General the board of inspectors and supervisor of the State Prison shall be forthwith notified and the said board of inspectors and supervisor shall at once take possession thereof, for and on behalf of the State, for the purpose of carrying out the provisions of this act. Said board of inspectors and supervisor shall have power to erect upon said lands the necessary buildings, both temporary and permanent, for the housing of the men, animals and machinery, and the storage of farm products, and to purchase such tools, implements, appliances, machinery, stock of all kinds, as may be necessary and appropriate for agricultural and quarry purposes, and to equip and maintain the said lands for the purpose of housing thereon and employing in agricultural and similar pursuits, and in the quarrying and preparation of building and road materials, such prisoners as may be transferred thereto from the State Prison as provided for in the act entitled "An act authorizing the transfer of inmates of the New Jersey State Prison to lands acquired for the purpose of employing State prisoners in agricultural and similar pursuits, and in the quarrying and preparation of building and road materials." The products of the lands so purchased and used shall be catalogued and disposed of by the supervisor of the

Condemnation procedure.

Taking possession.

Buildings, tools, etc.

Transfer of prisoners.

Products, etc.

New Jersey State Prison as other products of prison labor.

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

Approved April 9, 1913.

CHAPTER 290.

An Act to amend an act entitled "An act to provide for the employment of inmates of penal, correctional and reformatory institutions of this State, or of any political sub-division thereof, upon the roads and highways of the State and its political sub-divisions," approved March twenty-eighth, one thousand nine hundred and twelve.

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

Section 2 amended. 1. Paragraph two of the act referred to in the title of this act is hereby amended to read as follows:

Prisoners to work on roads. 2. The State Commissioner of Public Roads, desiring any number of prisoners confined in the State penal institutions to labor on roads or highways, may make application to the Prison Labor Commission for such prisoners, stating the number desired. Said Prison Labor Commission, in conjunction with the governing body of the institution and supervisor from which such prisoners are to be detailed, shall determine the number to be assigned, the cost of transportation and maintenance, the compensation for labor, and may enter into an agreement with said commissioner for the payment of said cost of transportation and maintenance or any portion thereof. The governing body of the institution from which such

Number, transportation, etc.

Rules of discipline.

prisoners are to be detailed shall fix all rules of discipline and shall detail such guards as in its judgment shall be advisable and is hereby authorized to assign such inmates to the work on roads and highways.

Section 3 repealed.

2. Paragraph three of the act referred to in the title of this act is hereby repealed.

Section 4 amended.

3. Paragraph four of the act referred to in the title of this act is hereby amended to read as follows:

Supervision and care of prisoners.

4. All work herein provided for shall be performed under the supervision of the State Commissioner of Public Roads. The said commissioner may lawfully expend any moneys available for constructon, repair and maintenance of roads to meet the cost of housing, feeding and guarding such prisoners while at work, or any portion of such cost, and for the purchase of tools, machinery, supplies and road-building materials needed.

Tools.

Section 5 amended.

4. Paragraph five of the act referred to in the title of this act is hereby amended to read as follows:

Discipline and custody.

5. The discipline and legal custody of such inmates assigned shall remain under the control of and in the respective institutions.

Repealer.

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

Approved April 9, 1913.

CHAPTER 291.

An Act to authorize cities of the first class of this State to make annual appropriations to incorporated dental associations of this State conducting and maintaining dental clinics in such cities for the free treatment of indigent children.

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

Maintenance of free dental clinics.

1. Whenever any dental association regularly incorporated under the laws of this State shall maintain and conduct in any city of the first class of this State a dental clinic or clinics where indigent children may receive treatment and relief without charge or fee therefor, it shall be lawful for the board or body having control of the finances of such city to appropriate and pay to such association, each year, such sum or sums, not exceeding in all the sum of ten thousand dollars ($10,000), as it shall deem advisable, to be used and applied by such association only for the support, maintenance and equipment in such city, of a dental clinic or clinics, for the free treatment of indigent children not over the age of sixteen years, residents of such city, and for no other purpose whatsoever.

Appropriation.

Report of use of moneys.

2. In any city of the first class of this State where an appropriation is made under the provisions of this act for the maintenance and equipment of such dental clinics, the officers of the dental association to which such appropriation is made shall furnish annually, at the beginning of each fiscal year, to the board or body having control of the finances of such city, a report of the number and kind of cases treated by such clinic or

clinics, together with a detailed statement of all expenditures made from any sum or sums of money so appropriated by such governing body having control of the finances of such city, for the maintenance and equipment of such clinic or clinics.

Application of act.

3. It is not the intention of this act to repeal, alter or amend the act entitled "An act to authorize cities of this State to make annual appropriations to incorporated dental associations of this State conducting and maintaining dental clinics in such cities for the free treatment of indigent persons," which said act was approved April ninth, one thousand nine hundred and ten, and which said act was amended by an act approved March thirtieth, one thousand nine hundred and eleven, in so far as the said act or the amendment thereto may be applicable to cities of this State other than cities of the first class of this State.

4. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 292.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting the burial of the bodies of honorably discharged soldiers, sailors and marines, the marking of their graves with suitable headstones and the care and preservation of their graves,'" approved April twenty-fourth, one thousand nine hundred and eleven.

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

Section 1 amended.

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

Burial of indigent veterans by counties.

1. It shall be the duty of the board of chosen freeholders in each of the counties of this State to designate some proper authority other than that designated by law for the care of paupers and the custody of criminals, who shall cause to be interred the bodies of all honorably discharged soldiers, sailors or marines (hereafter throughout this act called "veterans") who served in the army or navy of the United States during the War of the Rebellion, Spanish War, Philippine Insurrection, Boxer uprising in China, or any war in which the United States have been engaged, who shall hereafter die without leaving means sufficient to defray funeral expenses, but the expense of such funeral shall not exceed in any case the sum of fifty dollars.

Expense limited.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 293.

An Act extending the time for completing certain railroads.

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

Time extended two years.

1. Whenever the time limited for the completion of any railroad authorized to be constructed within this State, under any special or general act, has expired or shall expire before the thirty-first day of December, one thousand nine hundred and thirteen, such time shall be and the same is hereby extended for the further period of two years from the passage of this act; *provided, however,* that this act shall not apply unless money has actually been expended in surveys or location of route, or in acquisition of right of way or in construction since January first, one thousand eight hundred and eighty-six; *provided further,* that this act

Proviso.

Proviso.

shall not apply to any corporation unless such corporation shall first, and as the condition precedent to the exercise of any power granted by this act, file in the office of the Secretary of State an agreement, to be approved by the Governor and Attorney-General waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law of this State now in existence or that may be hereafter passed, taxing such corporations as are now authorized to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing further that all laws affecting such corporations shall be subject to alteration or repeal by the Legislature. Waiver of exemption.

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

Approved April 9, 1913.

CHAPTER 294.

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

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

1. The following words and phrases as used in this act shall, unless a different meaning is plainly Definitions.

required by the context, have the following meanings:

Vocational education.

(a) "Vocational education" shall mean any education the controlling purpose of which is to fit for profitable employment.

Industrial education.

(b) "Industrial education" shall mean that form of vocational education which fits for the trades, crafts and manufacturing pursuits, including the occupations for girls and women carried on in work shops.

Agricultural education.

(c) "Agricultural education" shall mean that form of vocational education which fits for the occupations connected with the tillage of the soil, the care of domestic animals, forestry and other wage-earning or productive work on the farm or in the garden or greenhouse.

Household arts education.

(d) "Household arts education" shall mean that form of vocational education which fits for occupations connected with the household.

Explanation.

(e) "Industrial, agricultural or household arts school" shall mean an organization of courses, pupils and teachers designed to give industrial, agricultural or household arts education either as a separate school or as a department of a school maintained in the district.

Evening class.

(f) "Evening class" in an industrial or agricultural school shall mean a class giving such training as can be taken by persons above the age of sixteen employed during the working day, and which, in order to be called vocational, must, in its instruction, deal with the subject matter of the day employment, and so carried on as to relate to the day employment.

Explanation.

(g) "Evening class" in a household arts school shall mean a class giving training in home-making to girls and women over seventeen years of age however they may be employed during the day.

Part-time class.

(h) "Part-time or continuation class" in an industrial, agricultural or household arts school, shall mean a vocational class for persons giving a

part of their working time to profitable employment and receiving in the part-time school instruction complementary to the practical work carried on in such employment.

Necessity investigated.

2. The Commissioner of Education shall investigate the necessity for the introduction of industrial, agricultural and household arts education, and report monthly to the State Board of Education and, subject to the approval of said board and to such rules and regulations as it may make, superintend the establishment and maintenance of schools for the aforesaid forms of education and supervise and approve such schools as hereinafter provided.

Instruction divided.

3. In order that instruction in the principles and practice may go on together, industrial, agricultural and household arts schools may offer instruction in day, part-time and evening classes.

Establishment of schools.

4. The board of education of any school district may establish and maintain industrial, agricultural and household arts schools, or two or more school districts may, as provided in Article XI of the act to which this act is a supplement, so far as the provisions of said article are not inconsistent with the provisions of this act, establish and maintain such schools. The board of education of each of such schools established under the provisions of Article XI shall be a body corporate and shall be known as and called "The Board of Education of the Union Vocational School of the School District of.....and.....(here insert the names of the districts) in the County of....." (here insert the name of the county in which the school shall be located).

Approval necessary.

5. Before any school shall be established as hereinbefore provided, the location and rules for the management of such school, the course or courses of study to be pursued therein, and all changes in said courses shall be approved by the Commissioner of Education, subject to the advice and consent of the State Board of Education.

Moneys furnished.

6. Moneys for the purchase of land, erection, repair or improvement of buildings and the purchase of furniture and equipment for the use of any such school and for the maintenance and support thereof, shall be appropriated in the same manner as a district maintaining such school is authorized to make appropriations for the purchase of land, erection, repair or improvement of buildings and the purchase of furniture and equipment in the act to which this act is a supplement.

Equal sum supplied by state.

7. Whenever any school shall have been established as hereinbefore provided, there shall be paid to the custodian of school moneys of the district maintaining such school, on the order of the commissioner, an amount equal to that raised in said district for the establishment of such school, exclusive of the amount appropriated for the purchase of land or the erection of a building, which amount shall be paid by the State Treasurer on the warrant of the State Comptroller, and annually thereafter there shall be paid in like manner an amount equal to the amount appropriated by the district for the current expenses of such schools; *provided,* that the moneys contributed by the State for the support and maintenance of a school established as hereinbefore provided, shall not exceed in any one year the sum of ten thousand dollars.

Proviso.

Name of school.

8. There may be established and maintained in any county in this State an industrial, agricultural or household arts school, to be known as the "Vocational School in the County of....." (here insert the name of the county in which such school shall be located). The State Board of Education shall prescribe rules and regulations for the organization, management and control of such schools.

Approval necessary.

9. The location of every county vocational school, the course or courses of study to be pursued therein, and all changes in said courses shall

be approved by the Commissioner of Education, with the advice and consent of the State Board of Education.

Board of education.

10. For each county vocational school there shall be a board of education consisting of the county superintendent of schools of the county in which such school is located and four persons to be appointed by the judge of the Court of Common Pleas of such county. In making the first appointments to any such board said judge shall appoint one person to serve for one year, one person to serve for two years, one person to serve for three years and one person to serve for four years from the first day of November next succeeding the date of their respective appointments. The persons so appointed shall also serve from the date of their respective appointments until the first day of November then next ensuing. During the month of October in each year said judge shall appoint a member of said board of education to serve for the term of four years to take the place of that member whose term shall expire on the first day of November then next ensuing. Any vacancy in such board caused by the death, resignation or removal of any member of such board appointed as aforesaid shall forthwith be reported by the secretary of said board to said judge, who shall, within thirty days thereafter, appoint a person to fill such vacancy for the unexpired term.

Terms.

End of term.

Future appointments.

Vacancy.

Qualifications.

11. A member of a board of education created under the provisions of this act shall be a citizen and resident of the county and shall have been such citizen and resident for at least three years immediately preceding his or her becoming a member of such board.

Organization.

12. Each board of education for a county vocational school shall organize annually on the first day of November by the election of a president and vice-president; *provided,* that if the first day of November shall fall on Sunday such board shall organize on the following day.

Proviso.

Corporate title.

13. The board or body having the control and management of a county vocational school shall be a body corporate, and shall be known as and called "The Board of Education of the Vocational School in the County of....." (here insert the name of the county in which such school shall be located).

Powers.

14. The board of education of a county vocational school shall have power

Acquire property.

(I) To purchase, sell and improve school grounds, erect, lease, enlarge, improve and repair school buildings and to purchase school furniture and other necessary equipment.

To acquire by condemnation.

(II) To take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use. If either party shall feel aggrieved by any proceedings and award thereunder, said party may appeal in the manner provided by law for appeals from such proceedings and award.

Insurance.

(III) To insure school buildings, furniture and other school property, and to receive, lease and hold in trust any and all real and personal property for the benefit of such school.

Teachers, etc. Salaries.

(IV) To employ and dismiss principals, teachers, janitors, mechanics and laborers; fix, alter and order paid their salaries and compensation and to prescribe the course of study to be pursued in the school under its charge.

Treasurer.

(V) To appoint a treasurer, who shall not be a member of said board and fix his salary and term of office. Said treasurer shall give bonds in such amounts and with such securities as said board shall determine.

Rules and regulations

(VI) To make, amend and repeal rules, regulations and by-laws not inconsistent with this act, or the act to which this is a supplement, or with the rules and regulations of the State Board of Education, for its own government, for the transaction

of business, and for the government and management of the school and school property under its control.

(VII) To suspend and expel pupils from school. Suspend pupils.

(VIII) To provide text-books and other necessary supplies and apparatus. Books, etc.

(IX) To adopt an official seal by which all its official acts may be authenticated. Seal.

(X) To make an annual report to the Commissioner of Education on or before the first day of August in the manner and form prescribed by him. Annual report.

(XI) To appoint a secretary and fix his salary and term of office. Secretary.

15. No contract shall be entered into by the board of education of a county vocational school, nor shall any bill or demand for money be paid until the same shall have been presented, duly verified by affidavit, and passed on at a regularly called meeting of the board. Contracts and bills verified.

16. Each board of education of a county vocational school shall, prior to the beginning of each year, cause advertisement to be made under such regulations as it may provide, for proposals for furnishing supplies required in the school and by said board during the ensuing year. If other and further supplies shall be required during the year, they shall be purchased in like manner. No contract shall be entered into for the erection of any building for the use of said school, or for enlarging or repairing a building already erected, except after advertisement made under such regulations as said board may prescribe; *provided,* that said board may at any time order repairs to buildings to an amount not exceeding five hundred dollars, and may authorize the purchase of supplies to an amount not exceeding two hundred and fifty dollars without advertisement. Text-books may be purchased without advertisement. No bid for erecting or repairing buildings or for supplies shall be accepted which does not conform to the Proposals for supplies. Proviso. Buying text-books.

specifications furnished therefor, and all contracts shall be awarded to the lowest responsible bidder.

Board of school estimate.

17. The board of school estimate of a county vocational school shall be constituted of two members of the board of education of such school, appointed by it, two members of the board of chosen freeholders of the county in which such school is situate, appointed by said board, and the judge of the Court of Common Pleas of said county. Said appointments shall be made annually between the first and fifteenth days of January. In case of a vacancy occurring in such board by reason of the resignation, death or removal of any member thereof, such vacancy shall immediately be filled by the body which originally appointed such member, by appointing another of its members to fill such vacancy. The secretary of the board of education of such school shall be the secretary of the board of school estimate, but shall receive no compensation as such.

When appointed.

Vacancy.

Secretary.

Estimate for ensuing year.

18. On or before the fifteenth day of May in each year the board of education of a county vocational school shall prepare and deliver to each member of the board of school estimate an itemized statement of the amount of money estimated to be necessary for the current expenses of and for repairing and furnishing such school for the ensuing school year.

Amount necessary fixed.

19. Between the fifteenth day of May and the first day of June in each year said board of school estimate shall fix and determine the amount of money necessary to be appropriated for the use of such school for the ensuing school year, exclusive of the amount to be received from the State as hereinafter provided. Said board of school estimate shall, on or before the last named date, make two certificates of said amount, signed by at least three of the members of said board, one of which certificates shall be delivered to the board of education of said school and the other to the board

Certification of amount.

of chosen freeholders of the county in which said school is situate. Said board of chosen freeholders shall, upon receipt of such certificate, appropriate, in the same manner as other appropriations are made by it, the amount so certified as aforesaid, and said amount shall be assessed, levied and collected in the same manner as moneys appropriated for other purposes in such county shall be assessed, levied and collected.

Amount to be appropriated.

20. Whenever a board of education of a county vocational school shall decide that it is necessary to raise money for the purchase of lands for school purposes, or for erecting, enlarging, repairing or furnishing a building or buildings for the use of such school, it shall prepare and deliver to each member of the board of school estimate a statement of the amount of money estimated to be necessary for such purpose or purposes. Said board of school estimate shall fix and determine the amount necessary for such purpose or purposes and shall make two certificates of such amount, one of which certificates shall be delivered to said board of education and the other to the board of chosen freeholders of the county in which such school is situate. Said board of chosen freeholders may appropriate such amount as other appropriations are made by it, and said amount shall be raised, assessed, levied and collected at the same time and in the same manner as moneys appropriated for other purposes in such county are raised, assessed, levied and collected; or said board of chosen freeholders may appropriate and borrow such amount for the purpose or purposes aforesaid, and may secure the repayment of the sum so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, by the issue of bonds in the corporate name of such county. Bonds so issued shall be designated "county vocational school bonds," may be registered or coupon bonds, or both, of such denominations as the board of chosen freeholders may de-

Action taken to purchase land.

Amount needed.

How money raised.

Bond issue.

Rate.

New Jersey State Library

termine, and shall be made payable in not more than thirty years from the date thereof. Said bonds shall be sold at public or private sale, but not for less than par and accrued interest, and such county shall, in its annual tax levy, raise money sufficient to pay the interest on said bonds, together with at least one per centum per annum of the principal thereof to provide a sinking fund for the retirement of said bonds at maturity, or, in lieu of providing a sinking fund for the retirement of said bonds at maturity, the bonds may be so issued that a stated equitable amount of them shall become due and payable in each year, beginning not more than ten years from the date of issue and ending in not more than thirty years from such date, and in such case there shall be raised by tax in each year such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year. The proceeds of the sale of such bonds shall be deposited with the treasurer of the county vocational school and shall be paid out only on the warrants or orders of the board of education of such school.

Time.

Sale.

Sinking fund.

Use of proceeds.

State to contribute sum equal to county.

21. Whenever any county vocational school shall have been established as hereinbefore provided, there shall be paid to the treasurer of such school, on the order of the Commissioner of Education, an amount equal to that raised in the county for the establishment of such school exclusive of the amount appropriated for the purchase of land or the erection of a building, which amount shall be paid by the State Treasurer on the warrant of the State Comptroller, and annually thereafter there shall be paid in like manner an amount equal to the amount appropriated by the county for the current expenses of such school; *provided*, that the money contributed by the State for the support and maintenance of any such school shall not exceed in any one year the sum of ten thousand dollars.

Proviso.

School year.

22. The school year for a county vocational school shall begin on the first day of November and end on the thirty-first day of October.

Deductions by comptroller prior to apportionment.

23. The State Comptroller, prior to the apportionment, on or before the first day of February, among the several counties of the State of the fund devoted to the maintenance and support of a thorough and efficient system of free public schools as provided in and by an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three," approved April twentieth, one thousand nine hundred and six, shall deduct from the sum so to be apportioned, in addition to any other sums to be deducted from said fund by virtue of the provisions contained in any law of this State, the amounts certified to him by the Commissioner of Education as necessary for the payments under the provisions of this act for the then ensuing school year, which payments shall be made therefrom.

Discontinuance of school.

24. Whenever in the judgment of the State Board of Education, the management and control, equipment, methods of instruction, attendance, attendance of pupils or per capita cost of maintenance, based upon the average daily attendance, is so unsatisfactory as to make the continuance of any school established under the provisions of this act unwise, said commissioner shall notify, in writing, the board of education having the control and management of such school that the approval of such school has been withdrawn, and it shall be unlawful to expend any moneys received from the State for the support of such school after the end of the school year next succeeding the date of the withdrawal of the approval of such school. At the end of the school year following the withdrawal of the approval of a school as is herein provided,

any balance of moneys received from the State under the provisions of this act shall be returned to the State treasury.

Total expenditure.

25. The total amount expended under the provisions of this act shall not exceed in any one year the sum of eighty thousand dollars.

26. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 295.

An Act to enable towns having a population of thirty-five thousand or more to annually fix the salary of the recorder or police justice.

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

Salary of recorder.

1. Any town now or hereafter having a population of thirty-five thousand or more may, through its common council or other governing body, by ordinance annually fix the salary to be paid to the recorder or police justice of such town at not less than one thousand nor more than fifteen hundred dollars, notwithstanding his term of office may have been fixed by law for a longer period, and notwithstanding any limitation in the salary to be paid to such officer as heretofore fixed in any law applicable to such town.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 296.

A Supplement to an act entitled "An act relative to courts having criminal jurisdiction and regulating proceedings in criminal cases (Revision of 1908)," approved April fourteenth, one thousand nine hundred and eight.

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

County detective.

1. The prosecutor of the pleas in the several counties of this State having a population of not less than twenty thousand and not more than fifty thousand inhabitants, may appoint a suitable person in any county to act as special officer, for detection, arrest, indictment and conviction of offenders against the law, said appointment to be approved by the judge of the Quarter Sessions Court in the respective counties of this State. Such persons so appointed shall possess all the powers and rights of and be subject to all the obligations of constables and police officers in any county of this State, in criminal matters only, and shall receive an annual salary not exceeding six hundred dollars, to be paid by the county collector in equal monthly installments out of the funds of the county, the salary to be fixed and the expenses of such officer to be approved by the prosecutor of the pleas and the judge of the Quarter Sessions Court of each county, and be paid by the county collector out of the funds of the county.

Powers, etc.

Salary.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 297.

An Act to authorize the board of chosen freeholders of any county in this State to acquire, improve and maintain roads lying within the corporate limits of any of the municipalities of said county, except cities; to authorize the straightening, widening, changing of location of and vacation of any such road so acquired, and to authorize the acquiring by gift, grant, purchase or condemnation of lands necessary therefor.

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

Freeholders may acquire roads in municipalities except cities.

1. The board of chosen freeholders of any county in this State is hereby authorized to acquire from time to time, in the manner hereinafter provided, any road or roads lying within or extending through the corporate limits of any municipality, other than a city, in such county or lying in and extending through two or more municipalities, other than cities, in such county.

Procedure.

2. Any board of chosen freeholders desiring to acquire any road or roads as provided and authorized in section one (1) hereof shall first give public notice of a public hearing to be held by such board, at a time and place therein to be specified, which notice shall be published for at least ten days prior to the time designated for holding such hearing, in three of the newspapers published and circulating in such county, one whereof shall be published at the county seat of such county and which notice shall also be posted in five public places situate along said road or roads intended to be acquired; at which said hearing any and all persons may appear and present, either orally, or

Notice.

Hearing.

in writing, their objections to the acquisition by said board of such road or roads. Said notice shall contain a brief description of the road or roads intended to be acquired.

Resolution of board of freeholders.

3. Not earlier than ten days after said public hearing said board may, by resolution or resolutions, acquire such road or roads, as in the judgment of said board shall appear to be proper, and shall designate in such resolution, or resolutions, the municipality or municipalities within or through which such road or roads extend, and to such resolution or resolutions shall be attached a map or maps showing the road or roads sought to be acquired, the lines, location, width and length thereof. A copy of said resolution or resolutions, together with the map or maps of such road or roads attached, certified by the clerk of said board of freeholders, shall within ten days from the adoption of such resolution, or resolutions, be filed in the office of the clerk of the county.

Upon filing certified copy becomes county road.

4. Upon the adoption of a resolution as hereinbefore provided for and the filing of a certified copy thereof with map attached, as aforesaid, in the office of the clerk of the county as provided by section three (3) hereof, the road described in any such resolution and shown by such map shall become and be a county road, and the duty of keeping the same in repair shall devolve exclusively upon the board of chosen freeholders, and all other powers and duties respecting such road shall be imposed upon and vested in said board of chosen freeholders: *provided, however,* that nothing herein shall divest the municipal authorities of any municipality in which such road may be, or through which it may extend, of their authority to light such road, or of their power to construct, grade, curb, pave or repair the sidewalks and curbs along said road, nor shall this power of said governing bodies divest the board of chosen freeholders of their right to construct across or under the sidewalks of said road the necessary culverts or other

Proviso.

structures necessary for the proper maintenance of such road; *and provided further,* that the board of chosen freeholders shall not grant any easement, right of way, or use in, under or over any such county road or roads unless the governing body of each municipality in said county through which said road runs or extends shall consent thereto, and that where the consent of property owners is required under any laws of this State, the same shall also be obtained before such grant of any such easement, right of way or use.

Proviso.

As to changing location of road.

5. Upon the acquirement of any road as herein provided the board of chosen freeholders may, by resolution, determine to straighten, widen or change the location of such road or any part or portion thereof and to vacate any and all portions of said original road that will, by reason of such straightening, widening or relocating, be and become unnecessary for public use. To any such resolution shall be attached a map showing the original location of such road and the proposed straightening, widening, changing of location of and the parts of said road proposed to be vacated. A certified copy of said resolution, upon its adoption, together with a copy of the said map shall be filed in the office of the clerk of the county and shall become and be a public record.

Map shown.

Secure necessary lands.

The said board of chosen freeholders is hereby authorized and empowered, upon the adoption and filing of such resolution and map as provided in this section, to secure and obtain the lands necessary for such widening, straightening or relocation, by gift, grant, purchase or condemnation, and the title to the said lands shall be taken in the name of such board.

Condemnation may be taken.

If it shall become necessary to take any lands by condemnation, the proceedings therefor shall be pursuant to the provisions of an act entitled "An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use," approved March twentieth,

nineteen hundred, and the supplements thereto and amendments thereof.

Improvement of road.

6. After acquiring any road hereunder, the board of chosen freeholders may, from time to time, improve the same, either in whole or in part, after giving public notice of a public hearing to be held by such board, at a time and place therein specified, which notice shall be published for at least ten days prior to the time designated for holding such hearing, in three of the newspapers published and circulating in such county, one whereof shall be a newspaper published at the county seat of such county, and also posted in five public places situate along and on the part of said road or roads intended to be improved, in whole or in part; at which hearing any and all persons may appear and present, either orally, or in writing, their objections to the said improvement by said board of chosen freeholders; and said board of chosen freeholders shall for that purpose cause drawings, plans and specifications to be made true copies of each of which are to be filed in the office of the county clerk of such county at least five days prior to the date of such hearing.

Notice.

Hearing.

Proposals invited.

7. Not earlier than ten days after the hearing provided in section six (6) hereof, said board of chosen freeholders, if it shall determine to make such improvement, shall by resolution, advertise in three newspapers published and circulating in such county, one of which shall be a newspaper published at the county seat, for four weeks successively, at least once in each week, the last advertisement being at least four days prior to the receipt of bids, the time and place of the reception of sealed bids and the terms of said bidding by the said board or its committee named for that purpose, and the contract shall be awarded to the lowest responsible bidder; each bid to be accompanied by a certified check for ten per centum of the amount of such bid, payable to the county collector,

Contract.

made by the bidder, as a guarantee that if the work is awarded to him he will enter into a contract with said board for the same; and such bidder to whom said work may be awarded shall, on entering into the contract for the same, furnish a bond as security, equal in amount to the amount of his bid, which bond shall be passed upon, as to form and sufficiency, by said board. The time and manner of payment for work done under any contract awarded under this act shall be set forth in said contract, and at least five per centum of the contract price shall not be paid to the contractor until after the expiration of one year from the completion of the work and acceptance thereof by the said board.

Bond.

Condition.

Moneys necessary raised by taxation.

8. It shall be lawful for the board of chosen freeholders to appropriate and raise annually, by taxation, in the same manner as other county taxes are raised, such sum or sums of money as they shall deem necessary to meet all costs and expenditures to be made under this act, provided that the sum raised and appropriated in any fiscal year shall not exceed one-tenth of one per centum of the ratables of such county as ascertained for the then current fiscal year.

Bond issue.

9. If, in the opinion of the board of chosen freeholders, to place the entire cost of the acquisition of lands and improvement of roads, under this act, in the tax levy for any one fiscal year would be too burdensome to the taxpayers of such county, it shall and may be lawful for such board to issue bonds of the county to defray the expense thereof, either in whole or in part; *provided*, that the aggregate sum raised by taxation, or the issuing of bonds, or both, in any fiscal year shall not exceed one-tenth of one per centum of the tax ratables of such county as ascertained for the then current fiscal year.

Proviso.

Denomination.

The said bonds shall be of the denomination of one thousand dollars each, shall be registered or coupon, as such board may determine, and shall

bear interest at a rate not exceeding five (5) per centum per annum, payable semi-annually, and shall run for a period of not exceeding thirty years and shall be signed by the director and clerk of said board and countersigned by the county collector, and shall be sold at public sale, on bids duly advertised for, to the highest bidder, for not less than par; and such county shall annually thereafter place in the tax levy a sum sufficient to pay the interest on such bonds as they mature, and shall likewise create a sinking fund for the payment of said bonds at maturity, and place in the tax levy annually thereafter a sum sufficient, with the accumulations thereof, to pay off and discharge said bonds at maturity.

Rate.

Time.

Sinking fund.

10. Whenever it is proposed to repair or improve any road so acquired, either in whole or in part, as provided for in "An act to provide for the the permanent improvement of public roads in this State (Revision of 1905)," approved March twenty-seventh, one thousand nine hundred and five, or any of the acts amendatory thereof or supplementary thereto, it shall be necessary to have the consent and approval of the State Commissioner of Public Roads, as provided for in said act, and the said road shall, in such case, be improved in accordance with the provisions of the said act.

Approval by road commissioner.

11. Nothing in this act contained shall be construed to alter, change or impair any contract heretofore let, for the improvement of any road, under the provisions of any act of the Legislature of this State, but said contract and said improvement shall be completed in accordance with the terms and provisions. and the moneys to be provided for the payment of the contract price for such road shall be raised and paid in the manner provided for in the act under which said contract was let and said improvement authorized.

Present proceedings not impaired.

12. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 298.

A Supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

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

Investigate toll bridges.

1. In addition to the powers already vested in the Board of Public Utility Commissioners by the act to which this is a supplement, the said board shall be vested with power, and it shall be their duty to investigate the conditions and charges, rates and exactions now existing in the management and operation of the toll bridges now existing in this State, whether located entirely within this State or connecting this State with any adjoining State and where in their judgment, after proper investigation upon their own initiative or upon petition by at least ten freeholders in any county wherein such bridge or bridges are located, they shall conclude that the said bridges are unsafely or improperly kept and maintained by the operating company so as to be dangerous to the public, the said board shall have power to order the operating company at its own expense to make such necessary alterations or repairs in the construction of such bridge and its appurtenances as to such Board of Public Utility Commissioners may seem desirable for the public interest and safety.

May order needed repairs.

As to fixing toll charges.

2. The said Board of Public Utility Commissioners shall also have power, upon their own initiative or upon the petition of ten freeholders of any

county wherein such bridge or bridges may be located, to investigate the rates, tolls and charges exacted from the public for travel upon such bridge or bridges, and after public hearing and notice to such operating companies to fix the rates, tolls and charges which the operating companies shall be allowed to charge the public for travel upon such bridge or bridges; and if it be necessary for the proper fixing of such rates, tolls or charges to confer with the public board or body in charge and control of such bridge or bridges in adjoining States, the said Board of Public Utility Commissioners shall have power to confer with such board or body and to enter into such arrangement, schedule or agreement for the fixing of tolls and charges and for the joint use of such bridge or bridges by the public as may seem to be necessary and just in the public interest.

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

Approved April 9, 1913.

CHAPTER 299.

An Act to amend an act entitled "An act providing for the development of the inland waterways system by deepening the channel of Absecon Inlet by the erection of a jetty or other construction and to appropriate fifty thousand dollars ($50,000) for this purpose."

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

1. Amend paragraph one to read as follows:

Section 1 amended.

1. The Department of Inland Waterways shall have power after advertising as required by law, to enter into a contract or contracts for the construction of a jetty or other structure or dredging

Contract for jetty.

in the mouth of Absecon Inlet for the purpose of maintaining a channel in the mouth of the said inlet.

Section 2 amended.

2. Amend section two to read as follows:

Appropriation.

2. The sum of fifty thousand dollars when included in any appropriation bill is hereby appropriated to cover the cost of construction of the said jetty or other construction or dredging to be expended by the Commissioner of Inland Waterways in accordance with the laws of the State governing the expenditure of moneys appropriated from the State treasury; *provided, however,* that no contract shall be let for the construction of the said jetty or other construction or dredging until the city of Atlantic City shall have appropriated the additional sum of fifty thousand dollars ($50,000) to complete the said jetty or other construction or dredging authorized in section one of this act.

Proviso.

Approved April 9, 1913.

CHAPTER 300.

A Supplement to an act entitled "An act in reference to the death of inmates of any State institution, and requiring the certificate of the county physician in reference thereto," approved April fifteenth, one thousand nine hundred and eight.

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

Acting county physician.

1. In case the county physician of any county shall be sick, or from any cause shall be unable to attend and make view and inquiry of any dead body or perform any services required by the act of which this is a supplement, it shall be lawful for him to nominate and appoint in writing, under his

hand, any other licensed physician of said county to perform such specific services as he may be unable to perform; and the physician so appointed shall, in that behalf, possess all the powers of the said county physician, and all fees and charges of said physician so appointed, for such services rendered while acting under such appointment, shall be paid by said county physician.

2. And this act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 301.

A Supplement to an act entitled "An act prescribing the liability of an employer to make compensation for injuries received by an employee in the course of employment, establishing an elective schedule of compensation, and regulating procedure for the determination of liability and compensation thereunder," approved April fourth, nineteen hundred and eleven.

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

Right of guardian to compromise claim.

1. In any case where an infant or minor under the age of twenty-one years shall be entitled to receive a distributive share of or compensation by virtue of the provisions of the act to which this act is a supplement, any duly authorized guardian of the person and property of and for such infant or minor appointed by the surrogate or the Orphans' Court of the county in which said infant or minor resides shall be authorized and empowered to act for such infant or minor to the same extent as a duly appointed next friend or guardian ad litem appointed by any court of law of this State and any such guardian appointed by the surrogate or Orphans' Court shall have the right and authority

to compromise and make composition in behalf of such infant or minor of any disputed claim for compensation arising under the provisions of the act to which this act is a supplement; *provided,* the terms of such compromise or composition shall be approved by an order of the Court of Common Pleas of the county wherein such infant or minor resides upon presentation of the facts and the terms thereof to said court, before the same shall become effective.

Proviso

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 302.

An Act to amend an act entitled "A further supplement to an act entitled 'An act concerning district courts (Revision of 1898),' (which said act was approved June fourteenth, eighteen hundred and ninety-eight)," and which supplement was approved June second, nineteen hundred and five.

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

Section 4 amended.

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

Court may try issue and give judgment.

4. In any suit or proceedings held by virtue of the act to which this is a supplement, between a landlord and a tenant and wherein their rights as such are at issue, the court shall, unless a jury be demanded by either party, at least one day before the return day of the summons, try the issue and give judgment thereon in like manner as in case of a verdict of a jury, but the right to a trial by jury shall in all other cases be as provided for by section one hundred and forty-nine (149) of

As to trial by jury.

"An act concerning district courts" (Revision of eighteen hundred and ninety-eight), approved June fourteenth, eighteen hundred and ninety-eight, as said section one hundred and forty-nine of said act is amended by:

"An act to amend an act entitled 'An act concerning district courts' (Revision of eighteen hundred and ninety-eight), approved June fourteenth, eighteen hundred and ninety-eight," which amendment was approved April eighth, nineteen hundred and three, and provides as follows:

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

Section 149 amended.

1. Section one hundred and forty-nine of the said act is hereby amended so as to read as follows:

Jury summoned.

149. Either party may demand a trial by jury, and if a jury is demanded a venire shall be issued to summon a jury of six men, and no more, if the debt, demand or matter in dispute does not exceed the sum of fifty dollars, or a jury of twelve men if the debt, demand or matter in dispute exceed the sum of fifty dollars, being citizens of this State above the age of twenty-one years and under the age of sixty-five years, and in nowise akin to the plaintiff or defendant, nor interested in the suit, to be and appear before the said court at such time and place as shall be expressed in the venire to make a jury for the trial of the action between the parties mentioned therein; and the constable or sergeant-at-arms shall, at the return of the said venire, return, annexed thereto, a panel containing the names of the jurors whom he shall have summoned by virtue thereof; and if, on the return of the venire, it shall appear that one or more of the jurors are disqualified to serve, or do not appear, then it shall be lawful for the constable or sergeant-at-arms who served the same, by order of the court, immediately to summon others who shall serve in their stead; unless a demand for

Age of jurors.

Return of venire.

Talesmen.

Waiving jury.

trial by jury shall be made, and notice thereof given the clerk of the court at least two days, exclusive of Sundays and legal holidays, before the time fixed for the trial, and unless the party demanding the same shall at the time of making such demand pay the cost of the venire, the demand for trial by jury shall be deemed to be waived; but the judge of any such court may, in his discretion, grant a venire at the expense of the plaintiff, to be taxed in the costs of suit, notwithstanding the failure of a demand as hereinbefore specified.

Section 149 Revised

2. Which section one hundred and forty-nine of said act as amended is hereby revived.

3. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 303.

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," approved April fourteenth, one thousand nine hundred and three.

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

Destruction of starling.

1. When in the judgment of the governing body of any municipality in this State, the European starling is so numerous in such municipality as to become a public nuisance, they may make application to the Board of Fish and Game Commissioners for permission to kill or destroy said starling.

Permit given.

2. Upon receipt of such application duly signed by the proper officer of any municipality, the Board of Fish and Game Commissioners may in their discretion grant such permit to a person named in the application, under such restrictions as they may deem proper.

3. Such permit when granted shall not operate to exempt any person from the punishment provided by law, who either accidentally or otherwise kills, injures, destroys or has in possession any bird, other than a starling, in the course of operations pursuant to the authority of such permit. No exemption as to other birds.

4. This act shall be enforced by the persons authorized and in the manner provided by an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, one thousand eight hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto. Enforcement of act.

5. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 304.

A Supplement to the act entitled "An act to regulate the practice of courts of law (Revision of 1903)," approved April fourteenth, one thousand nine hundred and three.

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

1. Cases now or that hereafter may be pending in the Court of Errors and Appeals, Supreme Court, or in any Circuit Court or Court of Common Pleas, wherein there shall be in anywise involved the question of the validity of any municipal ordinance or proceeding providing for the issue of bonds or for the construction of any public work, and all suits in which any municipality shall be the complaining party, in this act called municipal cases, shall be advanced on the list for argument, hearing or trial, and shall have precedence over all other causes, except as hereinafter Precedence of municipal cases.

provided; and such municipal cases shall be printed by the clerk at the head of the trial or argument list on notice to the clerk that the cause is a municipal case; and if any said case is not so printed on an advanced place on the list, the same shall be advanced on motion of either side. All said municipal cases shall be decided and determined by the court as promptly as the convenience of the court may permit, and within thirty days after the close of the argument; *provided,* no such municipal case shall have precedence over a cause moved to be advanced by the Attorney-General or any prosecutor of the pleas; *and provided further,* that if any municipal case be submitted on briefs, the decision thereof may take the usual course. Any municipal case pending in any said court and which has been argued orally by counsel, and at the time of the passage of this act awaits decision, shall be decided by the court within thirty days from and after this act shall take effect.

Determined promptly.

Proviso.

Proviso.

Decision within thirty days.

Return of writs.

2. Justices of the Supreme Court in allowing writs of certiorari or other writs in municipal cases may impose terms that the same shall be returnable at a short day and be argued before himself or any other justice of the Supreme Court to be named unless the defendant municipality shall object; and, further, that in case a review is sought the cause, if appealed and unless the municipality object, shall be argued and disposed of at the next term of the Court of Errors to be held after the decision of the Supreme Court shall have been announced. Municipal cases, including appeals in the Court of Errors and Appeals, shall be heard on five days' notice, and may be noticed for the first or any subsequent day in term. Appeals from the Supreme Court to the Court of Errors and Appeals, in municipal cases, shall be taken by a prosecutor or other litigant against a municipal corporation within ten days after notice of the opinion or decision of the Supreme Court, and not thereafter.

Review of cause.

Hearing appeals.

Time to take appeal.

3. All acts and parts of acts inconsistent herewith are hereby repealed. Repealer.

4. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 305.

A Supplement to the act entitled "An act to provide for the permanent improvement and maintenance of public roads in this State (Revision of 1912)," approved April fifteenth, nineteen hundred and twelve.

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

1. The estimated amount of all contracts for road improvements awarded in any one year by the board of chosen freeholders, together with the estimated cost of repairs of roads already constructed, shall not exceed (in excess of the amount which any county may raise in any one year) the sum of one hundred thousand dollars, exclusive of the State appropriation for road purposes apportioned to any county, except when the county's share of the cost of the improvement or repair of any road is to be paid for out of the proceeds of a legally authorized bond issue, for the purpose, by any such board of chosen freeholders. Maximum amount of contracts for roads.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 306.

An Act authorizing municipalities of this State to appropriate moneys for the celebration of the fiftieth anniversary of the founding or incorporation of such municipalities.

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

Appropriation for municipal anniversary.

1. It shall be lawful for the common council, or other governing body of any municipality of this State, in addition to the powers conferred upon them by their respective charters, or by law, to appropriate a sum not exceeding three thousand dollars for the celebration of the fiftieth anniversary of the founding or incorporation of such municipality.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 307.

An Act prohibiting fish pond nets in certain waters within the State of New Jersey.

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

Use of pound nets.

1. It shall be unlawful at all times for any person or persons, corporation or corporations, to erect, set, operate or maintain any fish pond nets in any of the fresh or salt waters of this State, under a penalty of two hundred dollars for each offense; *provided, however,* that this act shall not apply to the erection, operation or maintenance of

Penalty.

Proviso.

fish pounds in the waters of Sandy Hook and Raritan bay, of the Atlantic ocean, or to that portion of Delaware bay which lies within Cape May county.

Act how construed.

2. Nothing in this act contained shall be construed to repeal or affect in any manner the operation of an act entitled "An act prohibiting any person or corporation from erecting, setting, operating or maintaining any fish pound net in any of the waters of the Atlantic ocean, Sandy Hook bay or Raritan bay, without first obtaining a license for such purpose from the Board of Fish and Game Commissioners of this State," approved April second, nineteen hundred and twelve, or of an act entitled "An act regulating fishing in the waters of the Delaware river and bay lying between the States of New Jersey and Delaware and all the tributaries of said river and bay within said limits wherein the tide ebbs and flows," approved April twenty-seventh, nineteen hundred and eleven, or any act amendatory thereof or supplementary thereto.

Enforcement of act.

3. This act shall be enforced by the persons authorized, and in accordance with the provisions of an act entitled "An act to provide a uniform procedure for the enforcement of all laws relating to fish, game and birds, and for the recovery of penalties for violations thereof," approved March twenty-ninth, eighteen hundred and ninety-seven, and the acts amendatory thereof and supplementary thereto.

4. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 308.

An Act to incorporate the borough of Middlesex, in the county of Middlesex.

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

Corporate name.

1. The inhabitants of that portion of the township of Piscataway, in the county of Middlesex, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the borough of Middlesex, and shall be governed by the general laws of this State relating to boroughs.

Boundaries of borough defined.

2. The territorial limits of said borough shall be as follows:

Beginning at a point in the middle of the Green brook where the said brook is intersected by the borough line of the borough of Dunellen, and running thence down the center of the Green brook to a point where the said brook empties into the Raritan river; thence (2) down the middle of the Raritan river to a point where the same would be intersected by the center line of the Old New Market road if said road was produced in a straight line to aforesaid river; thence (3) in a northeasterly direction on the prolongation of said center line of the Old New Market road and following the center of said road as now laid out to a point on the north bank of Ambrose brook at the bridge; thence (4) up the brook and binding on the same to a stone standing on the north bank of said Ambrose brook; thence (5) on a straight course in a northeasterly direction and following the division line of lands of George W. Harris and estate of

Isaac Smith to a stone and corner of lands of said Harris and Smith; thence (6) on a straight course in a northerly direction to the beginning and center line of Whitlock avenue as now laid out and continuing on the center line of said Whitlock avenue to the Old New Market road; thence (7) following the center line of the Old New Market road to a point where same is intersected by the center line of Sherman avenue; thence (8) along the center line of Sherman avenue to the center line of South avenue; thence (9) along the center line of South avenue to the borough line of the borough of Dunellen; thence (10) following the boundary line of the borough of Dunellen to the Green brook and place of beginning.

Referendum.

3. This act shall take effect immediately; *provided,* it shall not operate to effect the incorporation of that part of the township of Piscataway above described into the borough of Middlesex, until it shall have been accepted by a vote of the majority of the legal voters of the said described territory voting thereon at a special election to be held within thirty days from the approval of this act and within the hours of six A. M. and six P. M. of the day fixed for the election at a place within said territory to be fixed by the clerk of the township of Piscataway, in the county of Middlesex. The clerk of the said township shall cause public notice of the time and place of holding said election to be given by advertisements signed by himself and set up in at least ten public places within said described territory, and published in one newspaper circulating therein at least ten days prior to such election, and the said clerk shall provide for each elector voting at such election ballots, to be printed or written, or partially printed and partially written, on which shall be printed the word "for" and the word "against" above and immediately preceding the title of this act, and if the word "for" be marked off or defaced upon the

Special election.

Notice of.

Ballots.

ballot it shall be counted as a vote against the acceptance of said act. If the word "against" is marked off or defaced upon the ballot it shall be counted as a vote in favor of the acceptance thereof, and in case neither the word "for" nor the word "against" shall be marked off or defaced upon the ballot, it shall not be counted either as a vote for or against such acceptance. Such election shall be held at the time and place so appointed and be conducted by the officers of the election district of said township of Piscataway, except no special form of ballot or any envelope need be used. The officers holding such election shall make return to the township committee of the township of Piscataway, of the result thereof by a statement in writing, under their hands, and the same shall be entered at length on the minutes of the said township committee, and thereupon and upon such adoption, and not otherwise, this act shall be in all respects operative.

Statement of result.

Registry.

The register of voters within said described territory used at the general election next preceding the holding of such special election shall be used for the purpose of conducting such special election, and it shall not be necessary for said board of registry and election to make a new registry of voters for such special elections, but only to revise and correct the register made for the last general election; and for that purpose the said board shall meet at such place within said described territory as shall be designated by the clerk of the township of Piscataway, at least one week preceding said election.

Revising register of voters.

Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places in said described territory. Said meeting of the board of registry and election shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of that day, for the purpose of revising and correcting the register

and adding thereto names of all persons entitled to vote within such described territory at said special election, who shall appear in person before them, and establish to the satisfaction of the majority of the board that they are entitled to vote at said election, or who shall be sworn by written affidavit of a voter residing in said described territory to be entitled so to vote. A separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him, and on the following day one copy shall be mailed to the chairman of the county board of elections of Middlesex, to be filed by said board, and one copy shall be retained for the use of said board of election at such special election. Affidavits.

Immediately after the statement of the result of such election shall be made to the township committee of said township of Piscataway a copy thereof, certified by its clerk, shall be filed in the office of the county clerk of the county of Middlesex. Certified statement filed.

Approved April 9, 1913.

CHAPTER 309.

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

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

1. The board of education of any school district may, subject to reasonable regulations to be adopted by said board, permit the use of any schoolhouse and rooms therein, and the grounds and other property of the district, when not in use for Use of school house.

school purposes, for any of the following purposes:

Educational. (a) By persons assembling therein for the purpose of giving and receiving instruction in any branch of education, learning or the arts;

Library. (b) For public library purposes or as stations of public libraries;

Social purposes. (c) For holding social, civic and recreational meetings and entertainments and such other purposes as may be approved by the board of education;

Entertainments. (d) For meetings, entertainments, and occasions where admission fees are charged;

Elections. (e) For polling places, for holding elections, and for the registration of voters, and for holding political meetings.

Action may be appealed. 2. Any action taken by a board of education under the provisions of this act shall be subject to appeal to the Commissioner of Education, as provided in section ten of the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 310.

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

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

Summer schools in agriculture, etc. 1. Summer schools for the purpose of training and educating persons in the art of teaching elementary agriculture, manual training, household economics and such other subjects as the State

Board of Examiners shall prescribe, shall be established and maintained in such places as shall be designated by the State Board of Examiners and approved by the State Board of Education. The course or courses of study for each of such schools shall be prepared by said State Board of Examiners and the Assistant Commissioners of Education and approved by the State Board of Education.

Course of study.

2. Rules and regulations for the organization, maintenance and management of such schools shall be prepared by the State Board of Examiners, subject to approval by the State Board of Education.

Rules and regulations.

3. All expenses incurred in establishing and maintaining such schools which are to be paid out of moneys appropriated under the provisions of this act shall be paid by the State Treasurer on the warrant of the State Comptroller, on bills approved by the Commissioner of Education.

Expenses met.

4. The State Comptroller, prior to the apportionment, on or before the first day of February, among the several counties of the State of the fund devoted to the maintenance and support of a thorough and efficient system of free public schools, as provided in and by an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof,' approved October nineteenth, one thousand nine hundred and three, approved April twentieth, one thousand nine hundred and six," shall deduct from the sum so to be apportioned, in addition to any other sums to be deducted from said fund by virtue of the provisions contained in any law of this State, the amount appropriated in the annual appropriation bill for the maintenance of such schools. No expense shall be incurred under the provisions of

Deductions by comptroller prior to apportionment.

this act until an appropriation therefor shall have been made in the annual appropriation bill.

5. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 311.

An Act to provide for the drainage of flowed lands in the township of Hanover, in the county of Morris, lying and situate between the Whippany river and the ditch known as the new Whippany river; the Troy or Parsippany brook; the road leading from Troy Hills to Montville, crossing the Caldwell turnpike at Condit's corner; the said Caldwell turnpike from the said Condit's corner to Edward's corner in the road leading from Edward's corner in said Caldwell turnpike to Hanover Neck, and the said road leading therefrom to Hanover Neck, and for the payment of the cost and expense of the said drainage.

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

Meeting of owners of flowed lands.

1. It shall be lawful for the owners of the flowed lands in the township of Hanover, in the county of Morris, lying and situate between the Whippany river and the ditch known as the New Whippany river; the Troy or Parsippany brook; the road leading from Troy Hills to Montville, crossing the Caldwell turnpike at Condit's corner; the said Caldwell turnpike from the said Condit's corner to Edward's corner in the road leading from Edward's corner in said Caldwell turnpike to Hanover Neck, and the said road leading therefrom to Hanover Neck, to meet together on the first day of May, in the year nineteen hundred and thirteen, at two o'clock in the afternoon, and thereafter annually on the first Tuesday of April, at two o'clock

Time.

in the afternoon, and that their first meeting shall be held at the house of Judd Condit, in the township of Hanover, where said meetings shall continue to be held unless it shall be determined otherwise, and choose a moderator, clerk and three managers, all of whom shall continue in office for one year, or until others are chosen and qualify. Each owner at the aforesaid meetings shall be entitled to one vote for each acre or fraction thereof over one-half of the said flowed lands which the owner may own at the time of the said meeting. Any owner of less than one acre of said flowed lands shall be entitled to one vote. Said officers shall be chosen by ballot by a plurality of such votes.

Organization.

Vote per acre.

2. It shall be the duty of the clerk to procure a book, which shall be kept by him and his successors in office, and in which shall be recorded the proceedings of the said annual meetings, and the said book, or a certified copy thereof signed by the moderator and clerk for the time being, shall be received in evidence in any court where the same may be required, and shall be taken as prima facie proof of all things recorded in said book as required by this act.

Minute book.

3. It shall be the duty of the said managers, or a majority of them, within thirty days after the time fixed for said annual meetings, to inspect the lands overflowed and liable to be overflowed within the limits aforesaid, and thereupon determine and decide, by writing, under their hands, whether the ditches are so obstructed as to require clearing out, and what lands will be benefited by such clearing out, which decision and determination shall be by the said managers certified to the said clerk and by him recorded in said book.

Annual inspection.

Result.

4. After the expiration of ten days, and within twenty days next succeeding such determination and decision, the said managers, or a majority of them, shall, by contract, or in such other manner as to them shall seem best, take and provide the necessary and proper measures and means for

Opening ditches.

opening, on or before the first day of November then next ensuing, such ditches as required by said decision and determination, but said managers, or any of them, shall not be personally bound or liable under any contract that may be made or measures or means that may be adopted for the purposes aforesaid, unless such personal liability be expressly assumed and stated.

Benefit assessed.

5. The said managers, or a majority of them, shall, within five days after the said contract shall have been made, or measures and means taken and provided as aforesaid, appoint an assessor annually, by writing, under their hands, whose duty it shall be forthwith to proceed and assess upon the owners of said lands so to be benefited by the clearing out of said ditches within the limits aforesaid, the expenses thereof as ascertained and determined by said managers, or a majority of them, upon the making of such contracts or the taking and providing measures and means aforesaid, in proportion to the benefits each owner will receive, in the opinion of said assessor, from the clearing out of said ditches; and said assessor shall, within thirty days after his appointment, make return of his assessment to the said managers, who, or a majority of them, shall thereupon, within five days thereafter, cause the said clerk to give notice thereof to said owners of lands so assessed, and if any owner of land shall feel aggrieved by such assessment, he may, within ten days after receiving notice thereof as aforesaid, appeal therefrom to said managers, who shall appoint a time and place for the hearing of all appeals to them made, and their decision, or the decision of a majority of them, in the premises shall be final and conclusive. The said return of the assessor of his assessment and any change made therein by the said managers on appeal, shall be recorded by the clerk in the said book.

Return of assessment.

Appeal may be taken.

When assessments due.

6. The said assessment shall be due and payable to said managers on or before the fifteenth day of

October in each year, or if any person assessed shall neglect or refuse to pay his assessment as herein required, fifty per centum shall be added thereto, and the amount of said assessment and added per centum shall be a lien upon the said lands of such person, and said managers, or a majority of them, may, after five days' notice in five public places in the township or townships where said lands may be situate, make sale at public auction of the crops growing on said lands of the person or persons so making default as aforesaid in order to raise and pay the amount of his, her or their assessment and added per centum and costs and expenses of collecting the same; or if said managers, or a majority of them, choose so to do, they may bring an action on contract against any person or persons in default as aforesaid in any court having jurisdiction of the amount to be recovered, which action may be brought in the individual names of the said managers, or any two of them, and it shall be sufficient to declare that the suit is brought to recover of the defendant an assessment made against him under and by virtue of this act, and any judgment recovered in any such action may be collected by execution issued generally against the goods and chattels, lands and tenements of the defendant, in the same manner as other judgments in said courts are or may be collected.

Crops sold for non-payment.

Suit may be brought.

Judgment.

7. The said managers and clerk shall be entitled to the sum of one dollar and fifty cents, and the said assessor shall be entitled to the sum of two dollars and fifty cents for each and every day they may be respectively employed in and about the duties of their said offices; and it shall be the duty of the said assessor to levy and assess as aforesaid, in addition to the expenses of clearing out said ditches, such amount as the said managers and clerk, or a majority of them, shall, under their hands, certify to them is necessary to be raised to pay the said clerk, managers and assessors, and

Fees.

other necessary expenses incurred or to be incurred during that year in and about making and collecting of said assessments.

Oath.

8. The said managers, clerk and assessor shall, before entering upon the duties of their respective offices, take an oath faithfully, fairly and impartially to perform the duties required of them by this act.

Right of entry.

9. It shall be lawful for the person or persons taking a contract or contracts from said managers to enter upon any lands to do the work required by said contract or contracts, doing no unnecessary damage to private property.

Transfer of records to successor.

10. Upon the election and qualification of the successors of any of the officers to be appointed or elected under this act, all records, books, maps, papers and moneys in the hands of any predecessor shall be by him handed over to the said successors in office.

11. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 312.

An Act to provide for the support of indigent patients by counties of the first class in hospitals in such counties.

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

Hospital accommodations for indigent patients.

1. The board of chosen freeholders of counties of the first class in this State are hereby authorized to make provision in any or all hospitals located in their respective counties for the support in such hospital or hospitals having fifty or more beds, of which twenty or more beds are open to the public at all times for resident indigent patients which are unable to be maintained by private support. Such provision for support of each

individual to occupy a bed in any such hospital shall be made by the county, upon certification of the name of the individual by the county physician in which such institution is located and in which such person to be provided for by the county shall be a resident. Such certification by the county physician of such county shall be approved by the board of freeholders of such county for payment for such support only upon the presentation attached thereto, of a verified bill to said board for the support and maintenance and treatment of such person at such hospital to be signed by the warden or other head officer of such hospital and the physician chief, which said bill shall state that the patient charged for upon the certification was in need of such maintenance and medical treatment for the time charged for and no longer.

Application.

Certification by county physician.

2. The board of chosen freeholders in each county of the first class in this State is authorized to make, for such purpose, an annual appropriation of a sum of money not to exceed five thousand dollars for each hospital to pay for the support and maintenance of such persons in such hospitals, which sum of money shall be included in the annual tax levy of such county and collected in the same manner and at the same time as the other county taxes; *provided, however,* that the sum so appropriated and collected, or the part thereof which may be unexpended at the end of the fiscal year in such county or counties, shall become a part of the sum authorized to be appropriated for the next fiscal year, and such unexpended sum shall be deducted from the amount authorized by this act to be appropriated and collected for the succeeding year.

Appropriation.

Proviso.

3. The amount to be paid as authorized in this act by the board of chosen freeholders of counties of the first class in this State shall not exceed the

Amount authorized to be paid.

sum charged in such hospital, in which such resident indigent may be placed, for patients occupying a bed in wards open to the public.

Approved April 9, 1913.

CHAPTER 313.

An Act authorizing cities of the first class to purchase lands and erect buildings thereon for the accommodation and use of the police departments of such cities, and to issue bonds and provide money to pay for the same.

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

Bonds issued for use of police department.

1. In cities of the first class in this State, when the municipal board or other authority having control of the erection of buildings for police department purposes, shall certify to the common council or other board or body having charge and control of the finances of such city that the necessity exists for the purchase of grounds and the erection thereon of buildings for police department purposes, it shall be lawful for such common council or other board or body having charge and control of the finances of such city, in its discretion, and it is hereby authorized and empowered, to issue bonds of such city, or cause the same to be issued, to an amount not exceeding one-half of one per centum of the ratables of such city to raise the money to pay for and purchase such grounds and construct such building or buildings. All bonds so issued shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and shall be made payable at such time and place, not exceeding fifty years from the date of their issue, as the said board shall determine. Said board may authorize the issue of such

Amount.

Rate.

Time.

bonds by resolution, and specify therein the character of the bonds to be issued, and it shall be the duty of the common council or other board or body having charge and control of the finances of such city, when bonds are issued under the authority of this act, to provide a sinking fund of not less than one per centum of the face value of such bonds, to be raised annually, by taxation, and to provide also annually for the interest which may become due thereon; the moneys to be raised for the sinking fund to be paid annually to the sinking fund commissioners of such city; *provided, however,* that the common council or other board or body having charge and control of the finances of such city may, at its discretion, provide for the expenditures herein authorized, in whole or in part, by the issue and sale from time to time of temporary bonds or obligations, such temporary bonds or obligations to run, with all renewals, for a term not exceeding five years from the date of their issue, and all such temporary loans or obligations shall be retired and paid by the proceeds of the permanent bonds hereby authorized, or by the use of other funds of the city available for that purpose.

Authorization.

Sinking fund.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 314.

An Act to amend "An act concerning the enforcement of the health code and ordinances and regulations of the local boards of health in cities, towns, townships or other municipalities of this State wherein sewers are now or hereafter may be constructed," approved May twelfth, eighteen hundred and ninety-six.

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

Section 2 amended.

1. The second section of the act to which this act is an amendment be and the same hereby is amended so as to read as follows:

Enforcement.

2. The provisions of this act shall be enforced in the cities, towns, townships and other municipalities of this State, subject to the provisions hereof, by the local boards of health in every such city, town, township or other municipality, by a fine of twenty-five dollars against any delinquent who shall not comply with the terms of any such ordinance, by-law or regulation within thirty days after the notification to make the aforesaid connection or connections, by the proper officer of the local boards of health aforesaid, and an additional fine of ten dollars for each and every day after the said thirty days in which the provisions of this act and of such notice shall not be complied with; and such notice shall and may be served upon such owner or owners personally or by leaving it at his or her usual place of abode with a member of his or her immediate family above the age of eighteen years.

Penalty.

Service of notice.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 315.

An Act giving to recorders and police justices of towns and boroughs and the mayor of any borough, of this State, jurisdiction to enforce the ordinances of the local boards of health of any town or borough.

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

Jurisdiction pertaining to health ordinances.

1. The recorder or police justice of any town or borough and the mayor of any borough shall have jurisdiction over all actions brought to enforce ordinances passed by the board of health of such town or borough in the same manner and to the same extent as other actions brought to enforce ordinances passed and adopted by the town council of such town or the mayor and council of such borough.

Service of papers.

2. The police officers of all towns and boroughs are authorized and empowered to serve all papers, processes and orders in actions to enforce ordinances passed by the board of health of said towns or boroughs in the same manner and to the same extent as they are authorized now to serve papers, processes and orders in actions to enforce ordinances of the town council or borough.

Fees, etc., paid to authorities.

3. All fees, costs, fines and sums of money in all actions to enforce ordinances of the board of health shall be paid over to the town or borough authorities, in the same manner and to the same extent as the same are paid over in actions to enforce ordinances of the town council or borough.

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

Approved April 9, 1913.

CHAPTER 316.

An Act to amend an act entitled "An act to amend an act entitled 'An act to regulate the practice of courts of law' (Revision of 1903), approved April sixth, one thousand nine hundred and eight.

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

Section 153 amended.

1. Section one hundred and fifty-three of an act entitled "An act to regulate the practice of courts of law" (Revision of 1903), be and the same is hereby amended to read as follows:

Notice of trial.

153. All notices of trial given for the first day of the term shall be filed with the clerk at least ten days before the opening day of the term, who shall furnish the court on the first day of every term with a list of the actions to be tried; it shall be the duty of attorneys, before filing said notices of trial in cases or actions which were instituted before the fourth day of July, one thousand nine hundred and twelve, to endorse on said notices of trial the return day of the summons issued in the action, and in all actions which were instituted on and after the said fourth day of July, one thousand nine hundred and twelve, or which may hereafter be instituted, to endorse thereon the date of the issuing of the summons in said action; and the clerk of the court shall list and arrange said cases or actions on said list according to the priority of the dates shown by said endorsement; *provided, however*, that whenever notices of trial shall be filed with the clerk without said endorsement the clerk shall list and arrange same, after listing the

Return day endorsed.

Proviso.

cases or actions noticed with said endorsement, according to date of filing notice of trial thereof with him.

2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 317.

An Act to amend an act entitled "An act to provide for the permanent improvement and maintenance of public roads in this State," approved April fifteenth, one thousand nine hundred and twelve.

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

1. Section four of said act is hereby amended to read as follows: Section 4 amended.

4. The road improvement contemplated under this act shall include the construction of the road and its intersections with other public roads, the restoration or construction, as herein provided of proper and adequate entrances to properties, the building of any essential walls in cuts or for slopes, and of all necessary facilities for drainage in improvement aforesaid, also the planting of shade trees, such works as may be necessary to preserve existing shade trees. What included in road improvement.

When the State Commissioner of Public Roads shall deem an existing bridge or culvert in a road to be improved as unsafe, unsuited or inadequate to the need of the road or traffic which it serves, or of such design or character as requires too frequent repairs, or the cost of a structure yet unbuilt as too great for the public body charged with such construction, he may make written agreement As to bridges and culverts.

therewith to bear a part of the cost of such new structure under conditions and for a design approved by him, but in no case in excess of twenty per centum of such cost. Such bridge and culvert building may be included in the road contract, or separately contracted for and advertised in the engineering journal as hereinbefore specified. Every such separate contract must be approved by the commissioner. All advertisements shall be made as required by this act, and bids received shall give separately the price of each bridge or culvert when the same are included in the road contract.

Costs included in State's share.

For the purpose of estimating the State's share of the cost of the work under this act, said cost shall include that of supervision and engineering.

Supplemental contracts incident to work.

The board of chosen freeholders may, after the execution and approval by the State Commissioner of Public Roads of a contract or contracts for improvement under this act, make, without public advertisement, supplemental contracts for additional work found to be necessary as a part of such improvement; *provided,* such contract shall not cover any additional mileage or length of road, nor alter the general character of the improvement; *and provided further,* that before any such contracts shall become binding, and before any work shall be done thereunder, they shall be submitted to and approved by the State Commissioner of Public Roads in the same manner as hereinbefore provided in the case of contracts let after public advertisement.

Proviso.

Proviso.

State's share of cost.

The State's share of or contribution to the cost of any improvement under this act shall be forty per centum of the total estimated cost thereof, except when otherwise provided in this act or when the same is left to the discretion of the State Commissioner of Public Roads.

Section 6 amended.

2. Section six is hereby amended to read as follows:

Road inspectors.

6. The State Commissioner of Public Roads is empowered to employ, as need arises, a staff of qualified road inspectors, certified as such by the Civil Service Commission at salaries not exceeding nine hundred dollars per year, and such proper itemized and reported expenses (not in excess of) two hundred and fifty dollars per year as the said commissioner may allow. Such staff shall not exceed ten in number, and may be removed for cause, or assigned to any work appertaining to roads which the commissioner may elect.

Salaries.

Number of inspectors.

Temporary inspectors.

If, in the judgment of the Commissioner of the Commissioner of Public Roads, temporary inspectors are required, they may be appointed by the said commissioner, and shall be paid the sum of three dollars per day for each day of actual service. All inspectors shall be paid from the State's appropriated share of the cost of the road, and credit for these payments shall be allowed the State in fixing its share of such cost.

Section 8 amended.

3. Section eight is hereby amended to read as follows:

Payments by State.

8. The State's share of the cost of all roads constructed under this act shall be paid out of the State treasury, out of any moneys not otherwise appropriated, if the same be first appropriated in the annual or supplemental appropriation acts. The Governor and State Commissioner of Public Roads shall certify, from time to time, to the State Comptroller the amounts to be paid to any county, township, town, borough, village or other municipality for such year, and the State Comptroller shall draw his warrant on the State Treasurer in favor of the county collector or collector of the township, town, borough, village or municipality, as the case may be, for the amount so certified, and the State Treasurer shall thereupon pay the same.

Amounts to be paid certified.

Partial payments to municipalities.

When any contract provides for partial payments based upon the amount of work done, the intent of this act is that partial payments to any

county, township or municipality shall be certified as aforesaid, provided the amount so certified is not in excess of the State's proportional share of that paid on account of the contract or contracts for work done by said county, township or municipality as provided in section seven of this act.

Section 12 amended.

4. Section twelve is hereby amended so as to read as follows:

County supervisor and engineer.

12. After the first county road shall have been constructed under this act in any county, it shall be the duty of the board of chosen freeholders to appoint some suitable person as county supervisor of roads, and a qualified civil engineer as county engineer, each of whom, before assuming the duties of his office, shall make and subscribe an oath or affirmation that he will faithfully perform all the duties of his office to the best of his ability and understanding. Such supervisor and engineer shall hold office for five years and until his successor is appointed and qualified. Each shall give bond to the board of chosen freeholders in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of his office, with such surety or sureties as the board shall approve. The said engineer shall receive such compensation for his services as the said board shall determine, and said supervisor shall receive a salary and allowance for expenses, both fixed by said board, but said compesation or salary is not to be reduced during the said engineer's or supervisor's term of office.

Oath.

Term.

Bond.

Compensation.

Subject to dismissal.

The said engineer or supervisor may be dismissed at any time by the governing body after a proper hearing upon proof sustaining to the satisfaction of said body charges preferred by the said body or the State Commissioner of Public Roads for incompetency, neglect, disability or other cause. In the event of such dismissal the said board shall immediately appoint a new engineer or supervisor to hold for the full term of five years from date of appointment. The said

New engineer or supervisor.

board of chosen freeholders shall appropriate all moneys necessary to keep any and all roads constructed under this act in good repair and free from obstructions, and if the board shall have no money which may be lawfully used for such purposes, it shall have the power to borrow the same on the credit of the county, until the next annual taxes shall have been levied and collected. The cost of all repairs and removal of obstructions shall be paid by the county collector upon the order of the board of chosen freeholders, and all bills for repairs and removal of obstructions shall be verified by affidavit, and shall be certified to be correct by the county supervisor of roads.

Money for road maintenance.

Cost of repairs., etc.

5. Section twenty-four is hereby amended so as to read as follows:

Section 24 amended.

24. Whenever the owners of fifty-one per centum of the frontage of property abutting any road proposed to be improved under this act by any board of chosen freeholders shall petition the governing body in which their lands and the said road or section of road shall lie, praying that said road or section of road be improved and paved for its entire width from gutter to gutter, and agreeing to pay the entire added cost due to said increased width of improvement and pavement, it shall be lawful for said governing body, by and with the consent of the State Commissioner of Public Roads, to enter into a contract with the said board of chosen freeholders to pay such additional cost, which contract shall fix and prescribe the time and manner of payment by said municipality to said board of chosen freeholders of such added cost.

Paving improved road.

Agreement to pay cost.

Such cost and expense so contracted to be paid by the municipality shall be assessed and collected by said municipality upon and from the lands abutting upon said road or section of road so improved in the same manner as other assessments for benefits for improvements are authorized to be assessed and collected in such municipality.

Assessment and collection.

If municipality undertakes improvement.

If the improvement contemplated is being undertaken by municipal instead of county authority, such extended improvement shall be authorized by the petition herein provided for, the consent of the municipal authorities of such municipality and the consent of the State Commissioner of Public Roads, and the said additional cost shall be assessed and collected as herein provided.

Section 29 amended.

6. Section twenty-nine is hereby amended to read as follows:

As to trees.

29. When a road plan involving the treatment of trees or forests abutting upon any road improved under an act bearing a title similar to this act or under this act is to be made, the State Commissioner of Public Roads shall notify the State Board of Forest Park Reservation Commissioners, which shall cause to be prepared such plans and specifications as shall be necessary for the completion of said treatment, the cost of which shall be taken as part of the cost of the road. In all that relates to the choice, planting or care of trees, the decision of the Forest Park Reservation Commission shall be final. In all that affects the location of trees, or the influence upon the road, the decision of the State Commissioner of Public Roads shall be final. If the State Commissioner of Public Roads and a local governing body having authority in respect to roadside trees shall be unable to agree regarding the removal or treatment of any tree standing within the line of any road to be improved, according to this act, the two interests shall submit the case to the Forest Park Reservation Commission, and its decision shall be final and binding upon all parties.

What authority to determine.

7. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 318.

A Supplement to an act entitled "An act for the punishment of crimes" (Revision of 1898).

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

Fraudulent representation in advertising a misdemeanor.

1. Any person, firm, corporation or association who, with intent to sell or in any wise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, hand-bill, poster, bill, circular, pamphlet or letter or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not to exceed one thousand dollars ($1,000) or imprisoned in the county jail for a period not exceeding one year, or by both such fine and imprisonment.

Penalty.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 319.

An Act to consolidate the Department of Accounts with the office of the Comptroller of the Treasury.

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

Department abolished.

1. The Department of Accounts is hereby merged into and consolidated with the office of the Comptroller of the Treasury.

Duties conferred on comptroller.

2. The Comptroller shall exercise all the powers and perform all the duties now exercised and performed by or conferred and charged upon the Department of Accounts and the auditor of accounts.

Terms expire.

3. All offices existing under and by virtue of the act creating the Department of Accounts shall end on the thirtieth day of April, one thousand nine hundred and thirteen.

Additional help for comptroller.

4. Should the Comptroller find it necessary, in order to carry out the work heretofore performed by the Department of Accounts, he is hereby authorized to engage additional help for such purpose, which additional help shall not be subject to any of the rules, regulations or statutes applicable to civil service in this State, and shall pay such additional help such sum of money as shall be appropriated by the Legislature for that purpose, and as he shall deem proper in the premises. Any unused appropriation made to the Department of Accounts for the current year is hereby transferred to the Comptroller's Department for the purpose of carrying out the provisions of this act.

In effect.

5. This act shall take effect on the thirtieth day of April, one thousand nine hundred and thirteen.

Approved April 9, 1913.

CHAPTER 320.

An Act to authorize cities to construct storm sewers, underground drains or culverts for the purpose of carrying off surface water and to provide for the payment of the cost thereof.

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

Storm sewers.

1. It shall be lawful for the common council, board of aldermen or other governing body of any city in this State, to cause a storm sewer, underground drain or culvert for the purpose of carrying off surface water to be constructed in and along any street, avenue or highway within the limits of said city.

Bonds may be issued.

2. In order to supply the funds necessary to carry into effect the provisions of this act, the common council, board of aldermen or other governing body of said city is hereby authorized and empowered to issue bonds in the corporate name of said city, which bonds shall be sold at public sale for not less than par and accrued interest, and all moneys received from the sale of said bonds, including any premium, shall be used exclusively for the purpose contemplated in this act.

Time.

3. The bonds to be issued under the provisions of this act shall be payable in such number of years, not exceeding thirty, from the date thereof, shall bear interest at such rate, not exceeding five per centum per annum, and shall be of such denomination as said governing body shall determine, shall be executed by the proper officials of said city, and be either registered or coupon bonds.

Rate.

Interest.

4. The interest on said bonds shall be paid semi-annually out of funds to be provided for the purpose by taxation.

Sinking fund.

5. A sinking fund for the redemption of said bonds at maturity shall be provided by raising by taxation and paying into the sinking fund of said city annually not less than two per centum of the principal of said bonds, until such time as the amount so paid shall be sufficient to pay the principal of said bonds when they shall fall due.

6. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 321.

An Act to amend an act entitled "A supplement ton an act entitled 'An act to facilitate the acquirement of lands, and the erection of buildings for county purposes,' approved March nineteenth, one thousand nine hundred and one," which supplement was approved April fourteenth, one thousand nine hundred and eight.

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

Section 1 amended.

1. Section one of the act of this act is an amendment is hereby amended so as to read as follows:

New jail in connection with new county building.

1. Whenever in any county, which has proceeded or shall proceed to erect a new court house or county building under the provisions of the act to which this is a supplement, the board of chosen freeholders shall adopt a resolution declaring the county jail unsanitary and inadequate for the needs of the county, then the commission appointed to build said new court house or county building shall have power to acquire by purchase or condemnation any additional lands which may be, in the judgment of said commission, necessary for the

construction of said jail and appurtenant buildings, and to erect thereon or on other land of the said county such jail and appurtenant buildings for the use of the county in the manner provided for in said act. The title to said premises and all proceedings in condemnation when necessary shall be taken in the name of the board of chosen freeholders of said county; *provided, however,* that said site for the court house, county buildings and jail when enlarged shall form one contiguous tract of land.

Title to land.

Proviso.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 322.

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight.

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

1. Any person who places upon or affixes to, or causes an advertisement, notice, circular, pamphlet, card, hand-bill, printed book or notice of any kind to be placed upon or affixed to, or places in, or causes to be placed in, a newspaper, magazine, periodical or book without the consent of the owner or owners of said newspaper, magazine, periodical or book, shall be guilty of a misdemeanor.

Placing circulars, etc., in papers, magazines, etc., illegal.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 323.

An Act to appropriate the sum of twenty-five hundred dollars towards the erection of a monument in the old town of Bergen (now a part of Jersey City) to commemorate the founding thereof, in the year sixteen hundred and sixty.

Preamble.

WHEREAS, A monument is now in course of erection by private and municipal subscription to commemorate the founding of the town of Bergen in the year sixteen hundred and sixty (1660), being the first permanent white settlement within the State;

AND WHEREAS, Said event and the commemoration thereof are of State-wide interest and importance:

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

Appropriation.

1. The sum of twenty-five hundred dollars is hereby appropriated, when included in any annual or supplemental appropriation bill, for the purpose of aiding in the erection of the monument now in course of construction in the old town of Bergen (now a part of Jersey City), to commemorate the founding of said town in the year sixteen hundred and sixty, being the first permanent white settlement in this State; *provided*, that the total cost of said monument shall be at least the sum of fifteen thousand dollars.

Proviso.

Payment.

2. The Comptroller of the State shall draw his warrant in payment of said appropriation and the Treasurer shall pay the same to the treasurer of the committee having charge of the erection of said monument to the extent of the amount appropriated by the Legislature as soon as the same shall

have been appropriated on the approval of the Governor and the mayor of Jersey City.

3. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 324.

An Act to amend an act entitled "An act relating to social clubs," approved March twentieth, anno domini one thousand eight hundred and ninety-one.

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

Section 1 amended.

1. Section one of the act entitled "An act relating to social clubs," approved March twentieth, anno domini one thousand eight hundred and ninety-one, be and the same is hereby amended to read as follows:

Licensing social clubs to sell liquor.

1. Any social club duly incorporated under any law of this State which, at the date of the application hereinafter provided for, owns or occupies a clubhouse used by it for its own purpose exclusively, and which for six months previous to said application has had continuously an actual adult membership of at least fifty members and no minor members, or which shall actually maintain and be in actual possession of suitable quarters or clubrooms or rooms actually and exclusively used for club purposes, which said rooms, so used for club purposes, shall occupy a space of more than six thousand square feet in any building used and occupied for business purposes, and which social club, for two months previous to the application hereinafter provided for, has had continuously an actual adult membership of at least four hundred members and no minor members, may be authorized to sell to its members, and to

no others, spirituous, vinous, malt or brewed liquors upon obtaining annually a permit therefor from the inferior Court of Common Pleas of the county wherein said club is located, and upon payment of an annual fee, to be fixed by said court, of not less than two hundred and fifty dollars, to be disposed as hereinafter provided.

Fee.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 325.

An Act fixing the number of members of the common council, board of aldermen or other governing body in any city of the second class in which there is or shall be a board of public works.

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

Members of council.

1. In every city of the second class in this State in which there is now or shall hereafter be created a board of public works, the common council, board of aldermen or other governing body of such city, by whatsoever name the same may be known or designated, shall consist of one member in and for each of the wards or aldermanic districts of such city, who shall be elected in the same manner and for the same terms as shall be provided by the charter provisions or other laws governing the election and term of office of the members of the common council, board of aldermen or other governing body in such city at the time of such election; *provided*, that members of the common council, board of aldermen or other governing body of such city heretofore elected, or who shall have been elected prior to the creation of any such board of public works, shall serve for the terms for which they have been or shall be respectively elected.

Proviso.

2. In all cities of the second class in which there are or shall be boards of public works it shall be lawful for the common council, board of aldermen or other governing body to provide by ordinance for the election of the members of such council, board of aldermen or governing body for terms of two years, and for the election of such members in alternate years, so that the terms of one-half of the members thereof, as nearly as practicable, shall terminate every year. Provision for electing councilmen.

3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed. Repealer.

4. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 326.

An Act concerning the government of cities of the second class and authorizing the creation of a municipal board of public works in any such cities and defining the powers and duties of such boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of such boards.

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

1. In all cities of the second class in this State, which shall adopt this act, there shall be established a board of public works, which shall be invested with the powers and charged with the duties hereinafter set forth. In every such city the mayor thereof shall appoint, within one month after the adoption of this act, three suitable persons, residents of such city, to be known as the board of public works of such city, not more than two of whom shall be members of the same political party; one of whom shall be appointed to serve until Board of works created. Appointed by mayor.

the first day of January next following such appointment, one of whom shall be appointed to serve until the first day of January secondly following such appointment, and one of whom shall be appointed to serve until the first day of January thirdly following such appointment. On the first day of January next following such appointment, and on each succeeding first day of January thereafter, the said mayor shall appoint one suitable person, a resident of such city, for the term of three years, to take the place of the member whose term shall then expire, so that the term of all members of such board not included in such first appointments shall be three years. Not more than two of said board shall at any time be members of the same political party. When the first day of January falls on Sunday or legal holiday any such appointments shall be made on the following week-day not a holiday. The appointment of any member of such board shall not become effective until confirmed by the common council or other governing body of said city. In each city having a population of less than fifty thousand inhabitants each of the members of the said board shall receive an annual salary of not less than five hundred dollars, and not more than fifteen hundred dollars, and in each city having a population of fifty thousand or more inhabitants each of the members of the said board shall receive an annual salary of not less than fifteen hundred dollars and not more than two thousand and five hundred dollars, and all of the said salaries shall be fixed and determined by the common council or other governing body having control of the finances of such city and be paid in the same manner as provided by law for other city officers.

Terms.

Non-partisan.

Confirmed by council.

Salaries according to population.

The members of such board so appointed and confirmed as aforesaid shall constitute and be called "The Board of Public Works of the City of ....." (name of city in and for which they are appointed). Each member of such board shall,

Corporate name.

Oath.

within ten days after his appointment and confirmation as aforesaid, qualify by taking and subscribing, before some person authorized to administer oaths, an oath or affirmation faithfully to discharge the duties of his office to the best of his skill and understanding, and by giving bond to such city in the sum of five thousand dollars to be approved as to the form thereof by the common council or other governing body of such city, and as to the sufficiency thereof by the mayor of such city, for the faithful discharge of his official duties, which bond shall be filed in the office of the clerk of such city. The members, after appointment and confirmation shall elect a president of the board from among the members thereof. Each of the members of such board shall devote such time and attention to the faithful performance of the duties of his office as the affairs under the government, control and management of such board, and the public interest may require. No member of such board shall accept or hold any other place of public trust or emolument within the elective franchise, nor be eligible to appointment to any other public office, unless he shall first resign his said office; and if he shall so accept such other place or office without having resigned as a member of such board, his office as member of such board shall thereupon become vacant.

Bond.

Organization.

Not hold two positions.

Any vacancy in such board shall be forthwith reported by the clerk thereof to the mayor, who shall, within thirty days thereafter, appoint a person to fill such vacancy. Upon the confirmation of such appointment in the manner aforesaid, and his entering into bond and oath as aforesaid, such person shall fill the unexpired portion of the term of the member of the said board in whose place he is appointed.

Vacancy.

The said board of public works in any such city adopting this act shall be substituted for, and invested with, all the powers and duties now vested in or exercised by any board of aldermen, common

Powers and duties vested in board.

council or other governing body or committee thereof of such city relating to and in respect of the management, control, maintenance and use of the roads, streets, alleys and sewers and of the laying out and construction of roads, streets, alleys and sewers within such city; and it shall also have the charge, control and management of the construction and maintenance of lamps, wells, pumps, water works, and of the water-supply of such city, and of the distribution, sale and use of water therein, and also the charge, control and management of the public parks and the public buildings of such city, and the grounds contiguous thereto, except school buildings and buildings used in connection with the fire department, the police department and the department of charities and corrections. the board of health and the library buildings.

Public notices given exclusively by clerk of board.

2. Any notice required by existing law to be given by any city clerk in the course of any proceeding or work that shall or may be undertaken or done by said board of public works, as provided for in this act, shall hereafter be given by the clerk of said board of public works exclusively, and any advertisement required to be given in the prosecution of any work or proceeding connected with any of the subject matters of this act shall be made by said board of public works; and all applications or petitions for the doing of any public work in such city shall be made and addressed to said board; it being the intention of this act to entirely supersede the common council, board of aldermen or other governing bodies of such cities as shall adopt this act, or their power or authority in the several departments of streets, sewers and water-works, and to place the same under the power, authority and control of the board of public works, as herein provided for, in the same manner and with like power and authority as the same are now vested in or under the authority or control of any such common council, board of aldermen or other governing body of such city, or their power

Petition addressed to board.

Intention of act.

or authority therein, and this act shall be so construed. All the powers now vested in any such city, or any board, body or official thereof, either by its charter or by general law, for the construction, operation, maintenance and regulation of streets sewers and public water-supply, and for the maintenance and regulation of public parks, and of public buildings not hereinbefore especially excepted, including the power to make, alter or amend rules, regulations, resolutions and ordinances relating thereto, is hereby vested in said board of public works. For greater certainty it is hereby specified that, in addition to or concurrent with the other powers hereby conferred upon said board, are the following:

All powers vested in board of works.

Powers enumerated.

To ascertain and establish the boundary lines of rivers and streams within such city.

To regulate the planting, rearing, trimming and preserving of ornamental and shade trees in the streets of the city.

To regulate the naming of streets, avenues and public places and the numbering of the houses and lots thereon.

To regulate and to prohibit advertising, ringing of bells in the streets, and other noises in the streets and public places.

To regulate and control the use of the streets of such city by all persons and corporations; by the regulation of traffic by pedestrians, wagons, cars, motors and vehicles of all kinds; by the regulation or prohibition of the depositing of ashes, dirt, offal or garbage in such streets.

To prevent and remove obstructions and encumbrances in and upon any street.

To regulate or prevent the erection or construction of any stoop, step, platform, sign or any other projection in, over or upon any street, and to cause any encroachment on any street, highway or other public place to be removed.

To regulate the erection of any post, pole, sign or wire upon or through or across any such street.

To regulate and prohibit the use of guns, pistols, firearms and fireworks of all descriptions within the city.

To regulate the exhibition of placards or flags in, across or over the streets.

To regulate and prohibit the use of soft coal in factories, power-houses and locomotives.

To provide for lighting the streets and public places in such city with gas, electricity, oil or other illuminating substances.

To regulate or prohibit the use of wells, pumps and cisterns in public streets and public places.

To regulate or prohibit swimming or bathing in the waters in or bounding the city.

To regulate weights and measures; to cause weights and measures to be examined by some person appointed for that purpose, and to establish and regulate public scales.

To regulate and control the manner of building dwelling houses, stables, factories and all other buildings and structures, and to prohibit, within certain limits, the building or erection of any dwelling house, store, stable or other building of wood or other combustible material, and to cause any buildings or structure which may become dangerous to human life or health to be destroyed.

To provide for the removal and disposition of offal, garbage and all other refuse matter.

To prescribe and regulate the streets and public places to be used for market purposes.

To provide, maintain and regulate a public market and the building and buildings necessary and suitable therefor.

Any such board of public works shall have power to prescribe penalties for the violation of any ordinance or regulation which they are empowered to pass or adopt by the provisions of this act.

Quorum.

Special meetings.

3. Two members of such board shall constitute a quorum for the transaction of business. The president shall have power to call special meetings of the board whenever he shall deem it expe-

dient in such manner as may be prescribed by standing rules or resolutions of the board; and the board may make, establish, modify and repeal such orders, by-laws, rules and regulations governing the proceedings of the board and its members and the officers and employees over whom by the provisions of this act they shall have authority and control, as such board may deem proper and advisable; *provided,* the same be not contrary to existing law. Proviso.

Clerk and other officials.

4. Whenever a board of public works shall be established in any city under the provisions of this act, such board shall, upon organization, appoint a clerk and fix his salary, and shall have the sole power and authority to elect the street commissioner, the city engineer and surveyor, the inspector of buildings and the inspector of public lights and water-supply. Such board may also employ, from time to time, such assistant engineers or surveyors as the work of the city may require, and all necessary inspectors, supervisors, clerks and employees to aid in the execution or discharge of its duties under this act, and for the carrying out and performance of the public works or affairs of said city, which, by the provisions of this act, are placed or intended to be placed under the government, control and management of such board. The said board shall have power to fix the compensation or salary to be paid to such officers and the compensation of such assistants and employees, and may, in their discretion, require satisfactory bonds for the faithful performance of their official duties. The salary of any officer appointed pursuant to the provisions of this section shall not be increased or diminished during the term for which he is appointed. The terms of city officers in this section specified shall be three years and until the appointment and qualification of their respective successors; *provided, however,* this act shall not be construed to terminate or abridge the term of office of any officer holding office in said city at the time

Assistants.

Compensation.

Terms of city officers.

Proviso.

this act becomes operative therein, but all such officers shall serve out the term for which they were originally elected or appointed, and the said board shall have power only to appoint a successor at the end of such term for which any officer was originally elected or appointed, or to fill any vacancy that may occur. Any vacancy in any of the offices mentioned in this section shall be filled for the unexpired term only.

All unexpended appropriations placed under control of board of works.

5. Upon the organization of the said Board of Public Works herein provided for in any such city, all the unexpended appropriations or moneys heretofore made or received by any municipal or corporate authority of such city, or by any board, department or official thereof, and at that time under the control or in the custody of the same for or on account, or to the credit of such board, department or official on the books of such city, or any department or official thereof, for the purposes of constructions, erections, improvements, repairs, or the support, maintenance or expense of the public works or municipal departments, or affairs of such city, by the provisions of this act transferred, committed or placed under the management, control or government of such Board of Public Works of such city herein authorized, shall thereupon immediately become subject to the sole and absolute control and power and disbursement of such Board of Public Works, and shall thereafter be expended only by authority of such board for the purposes for which such unexpended balances or appropriations or receipts were assessed, collected or received by such city or the municipal authorities thereof, and the same shall be paid out by such city or its municipal authorities upon the warrants of such Board of Public Works, in the manner and form as the same are now disbursed and expended by the municipal authorities of such cities.

Future expenditures.

Financial affairs.

6. It shall be the duty of the comptroller, auditor, treasurer or other financial officer or officers,

as the case may be, having charge or control of the accounts of any such city adopting this act, to credit the board of public works of such city with the amounts of the estimates appropriated to such board in any tax levy, budget or ordinance, and thereafter the same shall be disbursed and paid by the financial officers of such city in the same manner as the expenses of other subordinate boards are paid in such city.

Assessing and raising moneys needed.

7. It shall be the duty of the common council, board of aldermen, finance commission or other governing body or board having charge of the finances of any such city adopting this act, each and every year thereafter, as now provided by law therein, to cause such sum or sums as in their judgment may be necessary for the current and necessary expenses of the board of public works in each of the various municipal departments under the government, control, management and maintenance of such board for the year, to be assessed and raised by making provision therefor in the tax ordinance or budget of the year.

Mayor's right to veto.

8. The mayor of any such city adopting the provisions of this act shall have the right to veto all the ordinances of such board of public works, and also to veto such resolutions and actions thereof as he is now empowered to veto by the charter of such city, or any supplement thereto or amendment thereof, or by any other law effective therein, if the same were passed by the common council, board of aldermen or other governing body of such city, and a copy of every such ordinance, resolution or action duly signed by the president of such board and certified by the clerk thereof, shall be furnished to the mayor of such city, and he shall have ten days thereafter in which to consider the same in each case before signing or returning them to such board with his objections, and all of the ordinances, resolutions and actions of the said board of public works in any such city shall become operative and have full force and effect there-

in by publication or otherwise as the ordinances, resolutions and matters of the common council, board of aldermen or other governing body therein do now by law become operative, and have force and effect therein. The mayor shall have the power to veto any separable item or items contained in any ordinance or resolution over which he shall have the power to veto, and to approve of the residue of such ordinance or resolution. Any such board may pass any ordinance, action or resolution or vetoed item, notwithstanding the objections of the mayor, by a majority of the votes of all the members thereof, at the time and in the manner now or hereafter provided by law in such city. All ordinances, resolutions, regulations and by-laws in force in any such city at the time of its adoption of this act, relating or in anywise appertaining to the public works, or any municipal department of affairs of such city, which by the provisions of this act are placed, or intended to be placed, under the control, government and management of such board, shall continue in force and be applicable to such board, until such ordinances or resolutions shall be repealed, modified, re-enacted or superseded by other ordinances or resolutions passed or enacted by such board.

Right to veto separate items.

All ordinances continue in force.

9. No appointment authorized by law to be made by the mayor of any such city under the provisions of this act shall be made by any officer acting in the absence or disability of the mayor thereof for the time being, unless such absence or disability shall continue for the space of two months.

Appointments during absence of mayor.

10. Such board of public works in any such city adopting this act shall have full power and authority, in addition to all other powers granted by law, to fulfill, perform and carry out according to law any and all contracts, agreements and obligations theretofore lawfully made and entered into by any governing body, board, department or municipal authority of any such city in the name of such city or of any municipal authority therein or

As to carrying out contracts, etc.

thereof, regarding the subject matters contained in this act, and hereby transferred or transmitted to the government, control, management or direction of such board of public works.

Legal proceedings not abated.

11. No suit or proceeding by or against any such city adopting this act, and no proceeding or application for any public improvement shall abate or be discontinued by reason of anything in this act contained, but the same shall proceed and continue according to law, proper amendments therein being made if necessary.

As to constitutionality of sections.

12. In case, for any reason, any section or provision of this act shall be questioned in any court and held to be unconstitutional or invalid, the same shall not in anywise affect any other section or provision of this act.

Referendum.

13. The provisions of this act shall not become operative in any such city until the same shall have been adopted by vote of the legal voters thereof as hereinafter provided. The question of the adoption of this act shall be submitted to vote in any such city at any election for members of the General Assembly hereafter to be held, when a petition therefor, signed by at least five per centum of the qualified electors of such city, as evidenced by the total number of votes cast at the then next preceding election for Members of the General Assembly in such city, shall have been filed with the clerk of said city, of which submission the same notice shall be given as is required by law to be given of said general election, and the legal voters of said city may, at such election, decide upon the acceptance or rejection of this act in the following manner: There shall be printed on each official ballot, underneath the names of the candidates, the following:

Petition presented.

Wording on ballot.

Form of ballot.

If you favor the proposition printed below make an X mark in the square opposite the word "Yes." If you are opposed thereto, make an X mark in the square opposite the word "No."

Shall the act entitled "An act concerning the government of cities of the second class and authorizing the creation of a municipal board of public works in any such cities and defining the powers and duties of such boards, and relating to the municipal affairs and departments of such cities placed under the control and management of such boards, and providing for the maintenance of such boards" be adopted?	Yes. No.	

Result declared.

The said ballots so cast for or against this act shall be counted and the result thereof returned by the election officers, and a canvass of such election had in the same manner and at the same time as in case of ballots for city candidates voted for at such election, and the acceptance or rejection of this act so determined shall be declared in the same manner as the general result of said election for city officers, and if there shall be a majority of all votes entitled by law to be counted as votes, either for or against such proposition in favor of the adoption of this act, but not otherwise, this act shall immediately become operative in such city.

Repealer.

14. All acts and parts of acts, general and special, public or local, inconsistent with the provisions of this act, be and the same are hereby repealed.

15. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 327.

A Supplement to an act entitled "An act respecting the Court of Chancery (Revision of 1902)."

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

No stated term.

1. The Court of Chancery shall hold no stated terms, and pleas and demurrers required to be noticed and set down for argument at terms may be brought on for hearing on regular motion days (except in vacation) upon eight days' notice by either party to the other. All writs and process heretofore issued and returnable to term after this act takes effect shall be returnable on the day and date when the succeeding term named therein or endorsed theron would have opened and all writs and process tested and issued after this act takes effect shall be returnable on such days and at such times as the Chancellor shall by rule or order direct.

Return day.

Repealer.

2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Approved April 9, 1913.

CHAPTER 328.

An Act to provide for the completion of any drainage heretofore commenced under the provisions of an act entitled "An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health," approved March thirty-first, one thousand nine hundred and three, and the various supplements and amendments thereto, and to provide for the payment of the costs, damages and expenses of any drainage undertaken by the commissioners appointed under the provisions of said act, including any outstanding evidences of indebtedness heretofore issued by said commissioners.

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

If work not completed or costs paid.

1. Wherever any proceedings have been heretofore taken in compliance with the provisions of an act entitled "An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health," approved March thirty-first, one thousand nine hundred and three, and the various supplements and amendments thereto, and the work of drainage contemplated by said proceedings has not yet been completed, or if said work of drainage has been completed, the costs, damages and expenses incurred in the performance of the said work of drainage have not been wholly paid, by reason of the invalidity of any assessments which may have been or might be levied, according to the provisions of said act, owing to the unconstitutionality thereof, it shall be lawful,

First: Wherever the lands proposed to be drained lie wholly within one municipality, for the governing body of that municipality to obtain plans, surveys, assessments of the cost of and to complete such work of drainage, and

Plans, etc., to complete work.

Second: Where the lands proposed to be drained lie partly within two or more municipalities, it shall be lawful for the governing bodies of those respective municipalities sitting jointly, to enter into a contract to obtain plans, surveys, assessments of the cost of and to complete such work of drainage; *provided,* that in either case, before undertaking to complete such proposed drainage, or entering into such contract as above provided in case the lands proposed to be drained lie in two or more municipalities, the said governing body or bodies by resolution adopted in joint session shall cause at least thirty (30) days' notice to be given by advertisements signed by its clerk, or their respective clerks, posted in at least three public places in said municipality or in each of said municipalities, as the case may be, and printed once each week for at least three weeks in a newspaper published in the county and circulating in the municipality or municipalities wherein the lands proposed to be drained lie, of a time and place where said governing body or bodies will meet to hear objections to the said proposed drainage, and at the time and place so fixed or at the time and place to which said meeting may be adjourned, said governing body or bodies shall hear and consider all objections urged against the said proposed drainage, and thereupon determine, by resolution, whether or not such proposed drainage shall be undertaken.

In case of joint municipalities.

Proviso.

As to objections.

Hearing.

2. If the said governing body or the governing bodies of the municipalities shall, by resolution, as provided in section one of this act, determine to proceed with such proposed drainage, the said governing body or bodies shall forthwith proceed

Completion of proposed drainage.

New Jersey State Library

to complete the proposed drainage, and where said lands lie in more than one municipality, the part of the cost of such drainage that shall be paid by each of said municipalities, or by assessment on lands therein, shall be determined in the manner to be provided in such contract between or among the said municipalities, as provided for in section one of this act, and any proceeding necessary to be taken to acquire property that may be required for the purposes of accomplishing such drainage, shall be taken by said governing body or the governing bodies of each municipality acting in joint meeting, and in the corporate names of the municipality or municipalities represented by them; but all obligations for money borrowed to complete such drainage shall be made by the governing body of the municipality, or the several governing bodies of said municipalities, parties to such contract, and all proceedings to raise money and to impose and collect assessments for the cost of such drainage or part thereof in the several municipalities, shall be taken as if each of said municipalities had conducted the part of the drainage work therein under this act as an independent undertaking and in the manner hereinafter provided.

Part of cost each to pay.

As to money borrowed.

Proceedings to collect assessments.

3. Whenever any certificates, notes or other evidences of indebtedness may have been issued by commissioners appointed under an act entitled "An act to provide for the drainage of any pond, artificial reservoir, marsh, swamp, bog, meadow, low or wet lands, where the same is necessary for the public health," approved March thirty-first, one thousand nine hundred and three, and the various supplements and amendments thereto, for the purpose of providing for the payment of the costs, damages and expenses of any drainage undertaken by them under the provisions of said acts, and said certificates, notes or other evidences of indebtedness have not been paid, the said certificates, notes or other evidences of indebtedness,

Evidences of indebtedness included in cost of drainage.

with the interest due thereon, shall be considered to be, and are a lawful indebtedness of the municipality or municipalities in which the drained district lies, and such sum or sums shall be considered by said governing body or governing bodies as a part of the cost, damage and expense of such drainage and shall be by them added to the sum they shall find necessary to complete said drainage; *provided, however,* that nothing in this act contained shall in any way alter or impair the terms and conditions imposed upon such instruments by the act under which they were originally issued.

Proviso.

4. Wherever it shall appear that any drainage, as provided for in the act referred to in section one of this act, has been completed, but said work has not been wholly paid for by reason of the invalidity of any assessments which have been or might be levied, according to the provisions of said act, owing to the unconstitutionality of said act, it shall be lawful for the governing body of the municipality, or the governing bodies of the several municipalities acting jointly where the land drained lies in more than one municipality, to ascertain the amount of the costs, damages and expenses of such drainage, and to proceed to collect such amount in the same manner as hereinafter provided where such work has not been completed; *provided,* that it shall not be necessary for said governing body or bodies to give the notice as provided in section one of this act, nor shall the objection as provided in that section be presented.

In case of invalidity of assessments

Proviso.

5. In order to provide for the payment of the costs, damages and expenses of the drainage undertaken under the provisions of this act, the governing body or several governing bodies, as the case may be, shall, upon the completion of the work, ascertain the whole amount of said costs, damages and expenses as hereinbefore provided, and shall make a just and equitable assessment of the same upon the lands specially benefited by such

Assessments made upon completion of work.

improvement in the manner as hereinafter provided; but not in any case exceeding the amount of such benefit; and in case the whole costs or the share of the costs, damages and expenses allotted by said contract to any of the several municipalities, parties to contract, shall exceed the amount of benefits to lands in said municipality specially benefited thereby, such excess shall be assessed and raised by general taxation in the municipality or each of the municipalities being parties to said contract or improvement, or shall be raised in the manner hereinafter provided. If raised by general taxation, the same shall be assessed, levied and collected in the same manner as other taxes are assessed, levied and collected; before proceeding to make such assessment, the said governing body or each of said governing bodies shall give at least ten days' notice in a newspaper or newspapers published in the county in which such municipality is situate, that they will meet at a certain time and place to hear the views of all persons interested in the proposed assessment, at which time and place said governing body or each of said governing bodies, as the case may be, shall meet and give full and reasonable opportunity to all persons interested to express their views, adjourn from time to time if necessary or advisable, and they shall thereupon proceed to make a just and equitable assessment of the costs and expenses of said improvement or their respective share of the same, including damages for lands taken or used and for rights or privileges injured or destroyed, upon the lands specially benefited by such work as hereinbefore set forth; and within ten days after making such assessment, a notice shall be sent through the post office to each owner of lands so assessed, as nearly in each case as the name and address of the owner can be ascertained, stating the amount assessed against said lands, and that said assessment will be open for inspection for the next fifteen days, and that the governing body will meet

How assessments collected.

Notice of hearing.

Meeting.

Making assessment.

at a time and place, in said notice specified, to hear objections and to revise and correct and finally confirm said assessments; at which time and place the said governing body shall meet and give all parties appearing before them an opportunity to be heard, and may adjourn from time to time, and may reconsider said assessment and make any alteration therein that they may deem just; and thereupon they shall revise, correct and finally confirm said assessment; and within ten days thereafter shall file said assessment, as ascertained by them, in the offices of the clerk and collector of said municipality; and the determination of the said governing body shall be final and conclusive.

Hearing objections.

Assessment filed.

6. Within ten days after the filing of said assessment in the office of the clerk of said municipality, as herein provided, the governing body of such municipality shall give notice by publication in one or more newspapers circulating in the municipality, requiring the several owners, or other parties interested in the lands so assessed, to pay the assessment thereon to the collector of taxes of such municipality within thirty days from the date of said notice; such notice to be published at least once a week for four successive weeks in a newspaper circulating within such municipality. If any assessment so made shall remain unpaid for the space of six months after the date of confirmation thereof, it shall be the duty of the collector to proceed to collect the same by the sale of the lands or real estate against which said assessment is a lien, in the same manner, for the same term, and with the same rights and duties, and to the same effect as provided for the sale of lands and real estate for unpaid taxes under the general laws of this State.

Notice to pay assessment.

Collecting unpaid assessments.

7. From and after the filing of the said assessment in the office of the said collector, the said assessment shall be and remain a first and paramount lien upon each lot of land and property assessed for the amount of such assessment, with interest thereon, and all costs and fees thereon, un-

Assessment a lien.

til the same shall be paid and satisfied, notwithstanding any devise, descent or alienation of such land, or any judgment, mortgage or incumbrance thereon, and notwithstanding any mistake in the name or names of the owner or owners thereof, or any omission to name the owner or owners thereof, and any assessment in which such a mistake or omission occurs shall nevertheless be a valid and effectual lien as aforesaid upon the lands assessed.

Maintenance of drains.

8. Whenever any ditch or ditches, drain or drains, or other channel or channels for the free passage of water shall have been constructed under this act it shall be the duty of the municipality in which the same are situate, to keep the same in repair at the expense of such municipality, and the funds to be used for such repairs shall be appropriated and raised in the same manner as other appropriations made by such municipality.

Bonds may be issued.

9. If, in the opinion of the governing body of any municipality upon which, by the provisions of this act has fallen the burden of raising a portion of the cost, damage and expense of such drainage by general taxation as provided in the fifth section of this act, it would be too burdensome on the taxpayers of such municipality to place in the tax levy for any fiscal year the portion of the expense of said improvement to be borne by it, such opinion shall be expressed by resolution of such governing body; whereupon it shall be lawful for such governing body to issue a bond or bonds for the amount so to be raised by taxation as aforesaid.

Name.

10. All bonds authorized to be issued by this act by the governing body of the municipality shall be known as "drainage bonds."

Such bonds shall be of such denomination, bear such rate of interest, not exceeding five per centum (5%) per annum, and be payable at such places and such times, not exceeding thirty years from their date, and be in such form as the said governing body of any municipality issuing such bonds shall by resolution determine.

Rate.

Time.

Said bonds shall be signed by the mayor, or chief executive officer, or the chairman or presiding officer of the governing body thereof, and by the clerk thereof, and sealed with the seal of said municipality, and countersigned by the chief financial officer thereof. The said bonds may be either coupon or registered, or coupon bonds with the privilege of registration as to principal only, and of conversion into bonds registered as to both principal and interest, and the faith and credit of the municipality issuing them, shall be pledged for their payment. Such bonds shall recite that they are issued pursuant to the authority of this act and of the resolution authorizing the issuance thereof, which shall be conclusive evidence of their validity, and of the regularity of their issuance. Details of issue.

There shall be raised by taxation annually after the issuance of any such bonds a sum sufficient to meet and pay the interest thereon, as the same accrues, and a sum to be paid into a sinking fund which will, together with the accumulations thereof, provide a fund sufficient to meet and pay the principal of said bonds at maturity; *provided, however,* that if such bonds be so issued that they are payable in annual installments substantially equal in amount, the first of which installments shall be payable in two years from the date of such bonds, and the last installment to be payable within thirty years from such date, the board or body authorizing such bonds, in lieu of providing for a sinking fund to meet the principal of said bonds shall cause to be raised by taxation in each year in which an installment of principal shall be payable an amount sufficient to meet the said installment, in addition to the annual tax during the life of the bonds to provide for the payment of the interest accruing thereon. Interest and sinking fund. Proviso.

11. All acts and parts of acts inconsistent with this act are hereby repealed. Repealer.

12. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 329.

An Act to repeal an act entitled "A supplement to an act entitled 'An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof,' approved May twenty-second, one thousand eight hundred and ninety-four," approved March twenty-seventh, one thousand nine hundred and thirteen.

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

Act repealed.

1. The act entitled "A supplement to an act entitled 'An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof,' approved May twenty-second, one thousand eight hundred and ninety-four," approved March twenty-seventh, one thousand nine hundred and thirteen, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved April 9, 1913.

CHAPTER 330.

An Act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and fourteen.

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

Annual appropriations.

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

ficers and for the several purposes herein specified, for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and fourteen, namely:

1.

EXECUTIVE DEPARTMENT.

Governor's office.

For the Governor, for salary, ten thousand dollars;

For the secretary to the Governor, for salary, four thousand dollars;

For compensation for assistants in the executive department, four thousand eight hundred dollars;

For blanks and stationery for the use of the executive department, one thousand dollars;

For postage, expressage and other incidental expenses for the executive department, two thousand dollars.

2.

OFFICE OF THE COMPTROLLER.

Comptroller.

For the Comptroller, for salary, six thousand dollars;

For the Deputy Comptroller, for salary, three thousand six hundred dollars;

For compensation for clerical services and expenses, eight thousand one hundred dollars;

For blanks and stationery for use in the office of the Comptroller, one thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Comptroller's office, one thousand seven hundred dollars.

3.

OFFICE OF THE TREASURER.

Treasurer.

For the Treasurer, for salary, six thousand dollars;

For salary of Deputy Treasurer, four thousand five hundred dollars;

For compensation for clerical services in the office of the Treasurer, twelve thousand four hundred dollars;

For blanks and stationery for use in the office of the Treasurer, one thousand dollars;

For postage, expressage and other incidental expenses for the office of the Treasurer, eight hundred and fifty dollars.

4.

OFFICES OF THE STATE COMPTROLLER AND STATE TREASURER.

Receipts and disbursements.

For the purpose of carrying out the provisions of chapter two hundred and eighty-eight of the laws of one thousand nine hundred and seven, five thousand dollars.

5.

OFFICE OF THE SECRETARY OF STATE.

Secretary of State.

For the Secretary of State, for salary, six thousand dollars;

For the Assistant Secretary of State, for salary, three thousand dollars;

For compensation for clerical services in the office of the Secretary of State, twenty-two thousand dollars;

For postage, expressage and other incidental expenses for the office of Secretary of State, four thousand dollars;

For blanks and stationery for use in the office of the Secretary of State, nine thousand dollars;

For preserving old records by the Emery process, one thousand dollars;

For compiling the primary and general election laws, three hundred dollars.

6.

SECRETARY OF STATE, DEPARTMENT OF MOTOR VEHICLE REGULATION AND REGISTRATION.

Motor vehicle department.

For salary for the Commissioner of Motor Vehicles, one thousand five hundred dollars;

For salary for the chief inspector, one thousand five hundred dollars;

For compensation for inspectors, seventeen thousand six hundred dollars;

For expenses and equipment of inspectors, ten thousand dollars;

For compensation for clerical services, seven thousand three hundred and fifty dollars;

For postage, expressage and other incidental expenses, four thousand dollars;

For blanks and stationery, five thousand dollars;

For the purchase and packing of identification marks and dies for use in connection with the same, nineteen thousand dollars; payment of the above items in this account to be made from the receipts of the department of motor vehicle regulation and registration, pursuant to chapter two hundred and thirty-five, laws of one thousand nine hundred and nine.

7.

ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-General.

For the Attorney-General, for salary, seven thousand dollars;

For the Assistant Attorney-General, for salary, five thousand dollars;

For the second Assistant Attorney-General, for salary, four thousand eight hundred dollars;

For compensation and expenses of assistants employed by the Attorney-General, fourteen thousand one hundred and forty dollars;

For blanks and stationery for use in the office of the Attorney-General, nine hundred dollars;

For postage, expressage and other incidental expenses for the Attorney-General's department, one thousand five hundred dollars;

For compensation and expenses of counsel employed by the Attorney-General in foreign States to collect taxes due from bankrupt and other insolvent corporations, five hundred dollars.

8.

DEPARTMENT OF BANKING AND INSURANCE.

Banking and insurance.

For the Commissioner of Banking and Insurance, for salary, six thousand dollars;

For the Deputy Commissioner of Banking and Insurance, for salary, three thousand five hundred dollars;

For compensation for assistants in the Department of Banking and Insurance, nineteen thousand five hundred dollars;

For blanks and stationery for use in the Department of Banking and Insurance, five thousand dollars;

For postage, expressage and other incidental expenses for the Department of Banking and Insurance, seven thousand five hundred dollars;

For compensation of building and loan association examiners, twenty-two thousand five hundred dollars;

For actual and necessary traveling and incidental personal expenses of building and loan association examiners, five thousand five hundred dollars;

For necessary appraisals of real estate and all other incidental expenses in connection with examinations of building and loan associations, five hundred dollars.

9.

STATE BOARD OF ASSESSORS.

State assessors.

For the members of the State Board of Assessors, salaries, ten thousand dollars;

For secretary of the State Board of Assessors, for salary, two thousand five hundred dollars;

For compensation for clerical service in the office of the State Board of Assessors, nine thousand one hundred dollars;

For blanks and stationery for use in the office of the State Board of Assessors, nine hundred dollars;

For postage, expressage and other incidental expenses for the State Board of Assessors, one thousand one hundred dollars;

For compensation of local assessors and witnesses, and compensation and expenses of surveyors, pursuant to chapter one hundred and one of the laws of one thousand eight hundred and eighty-four, twenty thousand dollars.

10.

BOARD OF EQUALIZATION OF TAXES.

Equalization of taxes.

For salaries for president and four members, nineteen thousand dollars;

For salary of clerk, two thousand five hundred dollars;

For salary of assistant clerk, one thousand five hundred dollars;

For additional clerical services, nine hundred dollars;

For blanks and stationery for use of the Board of Equalization of Taxes, six hundred dollars;

For postage, expressage and other incidental expenses for the Board of Equalization of Taxes, six hundred and fifty dollars;

For services of expert stenographer at hearings, one thousand dollars.

11.

COUNTY BOARDS OF TAXATION.

County tax boards.

For salaries of members of the county boards of taxation, ninety-six thousand six hundred dollars.

12.

PUBLIC ROADS.

Roads.

For State Road Fund, pursuant to chapter three hundred and ninety-six, laws of one thousand nine hundred and twelve, four hundred and fifty thousand dollars;

For carrying into effect the provisions of chapter two hundred and twenty-three, laws of one thousand nine hundred and twelve, and any supplements thereto and amendments thereof, one hundred thousand dollars;

For expenses of the department, seventeen thousand dollars;

For commissioner, for salary, five thousand dollars;

For State Highway engineer, for salary, four thousand dollars;

For salaries of two highway division engineers, at one thousand eight hundred dollars each, three thousand six hundred dollars;

For salaries of two division highway engineers, at one thousand five hundred dollars each, three thousand dollars.

13.

STATE LIBRARY.

Library.

For the Librarian, for salary, three thousand dollars;

For compensation for assistants in the State Library, three thousand two hundred and eighty dollars;

For the repair, preservation and purchase of useful books for the State Library, three thousand five hundred dollars;

For blanks, stationery, postage, expressage and other incidental expenses for the State Library, five hundred dollars.

14.

PUBLIC LIBRARY COMMISSION.

Library commission.

For the purpose of carrying into effect the provisions of chapter sixty-two, laws of one thousand nine hundred; for clerical assistants, necessary traveling expenses and other expenses incurred by the commission, including the cost of conducting a summer school in library training or library institutes, and for carrying into effect the provisions of chapter one hundred and seventy-five, laws of one thousand eight hundred and ninety-eight, and its supplements, providing for the establishing and maintenance of a system of traveling libraries; and for the purpose of carrying into effect the provisions of chapter one hundred and fifteen, laws of one thousand nine hundred and six, ten thousand dollars.

15.

STATE BOARD OF HEALTH.

State Board of Health.

For salaries of members of the State Board of Health, pursuant to chapter two hundred and ninety-nine, laws of one thousand nine hundred and eight, seven thousand five hundred dollars;

For the State Board of Health, pursuant to the provisions of chapter sixty-eight, laws of one thousand eight hundred and eighty-seven, and the amendments and supplements thereto, twenty-four thousand three hundred and twenty-five dollars;

For compensation to the secretary of said board, pursuant to said chapter, two thousand five hundred dollars;

For expenses to be incurred pursuant to chapter two hundred and twenty-five, laws of one thousand eight hundred and eighty-six, two thousand dollars;

For blanks and stationery for use in the office of State Board of Health, two thousand five hundred dollars;

For maintenance of the bacteriological laboratory, nine thousand two hundred dollars;

For postage required in sending to the physicians of this State the annual report of the State Board of Health and of the Bureau of Vital Statistics, eight hundred dollars;

For the purpose of carrying into effect the provisions of "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof," passed at the legislative session of one thousand nine hundred and seven, and amendments and supplements, and "An act to prevent deception in the sale of oleomargarine, butterine or any imitation of dairy products, and to preserve the public health," pursuant to chapter eighty-four of the laws of one thousand eight hundred and eighty-six, and amendments and supplements, twenty-four thousand dollars;

For the purpose of carrying into effect the provisions of chapter one hundred and thirty-nine, laws of one thousand nine hundred and six, twelve thousand dollars;

For the purpose of carrying into effect the provisions of chapter seventy-two, laws of one thousand nine hundred, and the amendments and supplements thereto, twenty-eight thousand five hundred dollars;

For the purpose of carrying into effect the provisions of chapter twelve of the laws of one thousand nine hundred and ten, ten thousand dollars;

For the purpose of carrying into effect the provisions of chapter one hundred and eighty-nine of the laws of one thousand nine hundred and eleven, three thousand five hundred dollars;

For the purpose of carrying into effect the provisions of chapter twenty-four of the laws of one thousand nine hundred and twelve, three thousand five hundred dollars.

16.

BUREAU OF STATISTICS.

Statistics.

For Chief of the Bureau of Statistics, for salary, two thousand five hundred dollars;

For the deputy chief of the Bureau of Statistics, for salary, two thousand dollars;

For the current expenses of the Bureau of Statistics, seven thousand dollars;

For blanks and stationery for use in the office of the Bureau of Statistics, five hundred dollars.

17.

STATE HOUSE COMMISSION.

State Home.

For the State House Commission, for the care and safe-keeping of the State Capitol, the property therein and adjacent public grounds, and for expenses to be incurred in carrying out the provisions of chapter three hundred and thirty-nine of the laws of one thousand eight hundred and ninety-four, eighty thousand dollars;

For insurance upon State House and contents thereof, two thousand five hundred dollars;

For equipment of vaults for the State Treasurer, eight thousand dollars;

For the State House Commission for the purpose of acquiring, by purchase or by condemnation, in the name of the State, lands in the city of Trenton, with buildings thereon erected, and for any necessary removals, alterations, restoration, reconstruction and furnishing of the same, and improvement of said lands, as included within chapter two hundred forty-two of the laws of one thousand nine hundred and eleven, and any supplement thereto or amendment thereof, thirty thousand dollars.

18.

STATE MUSEUM.

Museum.

For Curator, for salary, one thousand five hundred dollars;

For the commission to acquire new material for the museum and for blanks, stationery and other incidental expenses, one thousand five hundred dollars.

19.

GEOLOGICAL SURVEY.

Geological survey.

For the State Geologist, for salary, four thousand dollars;

For services and expenses of the department of the geological survey, including the continuance of forestry investigations and expenses in connection with the publication of the reports and maps of the geological survey, twelve thousand five hundred dollars;

For salaries and expenses of archæological investigations in New Jersey and the acquisition of valuable archæological material, five hundred dollars;

For services and expenses incurred in connection with examining and testing road materials and pavements, five thousand dollars.

20.

FOREST PARK RESERVATION COMMISSION.

Forest reservations.

For the use of the State Board of Forest Park Reservation Commissioners, pursuant to chapter forty-seven, laws of one thousand nine hundred and five, including maintenance of State forest lands, eleven thousand five hundred dollars;

For the use of the State Board of Forest Park Reservation Commissioners, for the purpose of

carrying out the provisions of chapter one hundred and twenty-three, laws of one thousand nine hundred and six, and chapter seventy-four, laws of one thousand nine hundred and nine, fifteen thousand dollars;

For the use of the State Board of Forest Park Reservation Commissioners, for the purpose of carrying out the provisions of chapter one hundred forty-three, laws of one thousand nine hundred and seven, thirty thousand dollars.

21.

SUPREME COURT.

Supreme Court.

For the Chief Justice and Associate Justices of the Supreme Court, for salaries, one hundred and nine thousand dollars;

For the judges of the Circuit Court, for salaries, sixty-three thousand dollars;

For compensation of sergeants-at-arms and criers, one thousand three hundred dollars;

For the payment of expenses incurred by the order of the Supreme Court pursuant to chapter one hundred and forty-nine of the laws of one thousand nine hundred, two thousand five hundred dollars;

For blanks and stationery for use of the Chief Justice and Associate Justices of the Supreme Court, and incidental expenses, five hundred dollars.

22.

OFFICE OF THE CLERK OF THE SUPREME COURT.

Clerk of Supreme court.

For the Clerk of the Supreme Court, for salary, six thousand dollars;

For compensation for clerical services in the office of the Clerk of the Supreme Court, eighteen thousand two hundred and fifty dollars;

For blanks and stationery for use in the office of the Clerk of the Supreme Court, one thousand five hundred dollars;

For postage, expressage and other incidental expenses for the office of the Clerk of the Supreme Court, one thousand seven hundred and fifty dollars.

23.

COURT OF CHANCERY.

Court of Chancery.

For the Chancellor, for salary, thirteen thousand dollars;

For the Vice-Chancellors, for salaries, ninety-six thousand dollars;

For compensation of sergeants-at-arms and traveling expenses, six thousand seven hundred dollars;

For compensation of stenographers, and for services pursuant to section one hundred and three of chapter one hundred and fifty-eight, laws of one thousand nine hundred and two, twenty-two thousand six hundred dollars;

For compensation and allowance of Advisory Masters, thirteen thousand two hundred and fifty dollars;

For rent of rooms in Atlantic City, Jersey City, Newark and Trenton, for the use of the Chancellor, Vice-Chancellors and Advisory Masters, seven thousand six hundred and sixteen dollars;

For miscellaneous expenses in connection with such rooms, one hundred and fifty dollars;

For compensation of stenographer for the Chancellor, six hundred dollars;

For allowance for stationery for the Court of Chancery, five hundred dollars.

24.

OFFICE OF CLERK IN CHANCERY.

Chancery office.

For the Clerk in Chancery, for salary, six thousand dollars;

For compensation for clerical service in the office of the Clerk in Chancery, twenty-nine thousand nine hundred sixty dollars;

For blanks and stationery for use in the office of the Clerk in Chancery, one thousand nine hundred dollars;

For postage, expressage and other incidental expenses for the office of the Clerk in Chancery, two thousand five hundred dollars.

25.

COURT OF ERRORS AND APPEALS.

Court of Errors.

For compensation of judges of the Court of Errors and Appeals, twenty-one thousand dollars;

For compensation of officers of the Court of Errors and Appeals, one thousand seven hundred and fifty dollars;

For furnishing printed or typewritten copies of draft opinions under the direction of the presiding judge, one thousand dollars.

26.

COURT OF PARDONS.

Court of Pardons.

For compensation for judges of Court of Pardons, two thousand dollars;

For compensation of subordinate officers and incidental expenses, one thousand dollars.

27.

COURT EXPENSES.

Transferred suits.

For compensation of judges of the Court of Common Pleas, pursuant to section forty-nine, chapter one hundred and forty-nine of the laws of one thousand nine hundred, one thousand dollars.

28.

LAW AND EQUITY REPORTS.

Legal reports.

For the publication of the Chancery reports, five thousand dollars;

For the publication of the law reports, five thousand dollars;

For salary of Chancery reporter, five hundred dollars;

For salary of Supreme Court reporter, five hundred dollars;

For binding Chancery and law reports, eight hundred dollars.

29.

STENOGRAPHIC REPORTERS.

Stenographers.

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to chapter eighty-one of the laws of one thousand nine hundred and one, fourteen thousand eight hundred dollars.

30.

NATIONAL GUARD.

Military.

For expenses for division, brigade and regimental headquarters, four thousand dollars;

For allowances for two batteries of artillery, two thousand dollars each, four thousand dollars;

For allowance for two troops of cavalry, at two thousand dollars each, including rent of armory, four thousand dollars;

For allowances for sixty companies of infantry, at five hundred dollars each, thirty thousand dollars;

For allowance for one signal and telegraph corps, two thousand dollars;

For transportation for battalion drills, inspections, parades, and for pay and expenses of inspecting officers, five thousand dollars;

For compensation of officers and employees, and expenses incurred in connection with rifle practice, nine thousand five hundred dollars;

For pay of officers and enlisted men, and expenses in connection with the annual encampment, sixty thousand dollars;

For compensation of the superintendent and employees, and for forage, fuel and maintenance of the State camp grounds, ten thousand dollars;

For fuel, light and maintenance of the State arsenal, one thousand five hundred dollars;

For expenses of military boards and courts-martial, one thousand two hundred dollars;

For transportation of disabled soldiers of the late rebellion and the Spanish-American war, thirty dollars;

For maintaining, heating and lighting regimental armories at Jersey City, Camden, Newark, Paterson and Trenton, at four thousand five hundred dollars each, twenty-two thousand five hundred dollars;

For maintaining, heating and lighting battery troop and battalion armories at Newark, East Orange, Camden, Elizabeth, Red Bank and Orange, eighteen thousand dollars;

For maintaining, heating and lighting company armories at Somerville, Hackensack and Bridgeton, one thousand eight hundred dollars each, five thousand four hundred dollars;

For insuring regimental armories, buildings at the State camp grounds at Sea Girt, the State arsenal and all public military stores, three thousand dollars;

For horse allowance to officers required to be mounted for duty at annual encampment, three thousand two hundred dollars;

For ordnance stores, uniforms, clothing, camp and garrison equipage, freight and expressage and miscellaneous supplies, eight thousand dollars;

For allowances for uniforms and equipments for officers of regiments, troops, batteries, companies, signal corps, and the naval reserve, as provided in section one hundred and twenty-seven of "An act concerning the militia of the State," approved May sixteenth, one thousand nine hundred and six, six thousand five hundred dollars;

For horse allowance to mounted organizations providing horses for State service, at fifty dollars per horse per annum, three thousand nine hundred dollars;

For construction of armory for battery A, field artillery, East Orange, pursuant to chapter two hundred and twenty-four, laws of one thousand nine hundred and nine, twenty-five thousand dollars;

For construction af armory for the second battalion, second regiment, Elizabeth, pursuant to chapter one hundred and seventy, laws of one thousand nine hundred and ten, twenty-five thousand dollars;

For construction of armory for battery B, field artillery, Camden, pursuant to chapter twenty, laws of one thousand nine hundred and ten, twenty-five thousand dollars;

For traveling expenses of United States army officer detailed to the State by the War Department as Instructor-Inspector of the National Guard, six hundred dollars;

For pay of clerk attached to division headquarters, six hundred dollars;

For construction of armory for first battalion, fifth regiment, at Orange, pursuant to chapter forty-five, laws of one thousand nine hundred and eleven, twenty-five thousand dollars;

For construction of armory for second troop cavalry, at Red Bank, pursuant to chapter one

hundred and sixty-five, laws of one thousand nine hundred and six, twenty-five thousand dollars;

For construction of armory for Company H, third regiment, at Asbury Park, pursuant to chapter one hundred and twenty-seven, laws of one thousand nine hundred and eleven, twenty-five thousand dollars;

For construction of armory for company H, second regiment, at New Brunswick, pursuant to chapter one hundred and six, laws of one thousand nine hundred and twelve, twenty-five thousand dollars;

For furnishing and equipping armory for battery B, field artillery, Camden, five thousand dollars;

For extraordinary repairs, alterations and additions required for the preservation and equipment of regimental armories, as follows:

Newark armory, first regiment, two thousand dollars;

Trenton armory, second infantry, five hundred dollars;

Elizabeth armory, second infantry, five thousand dollars;

Camden armory, third infantry, two thousand five hundred dollars;

Jersey City armory, third infantry, four thousand dollars;

Paterson armory, fifth infantry, nine hundred dollars.

31.

NAVAL RESERVE.

First battalion, in lieu of company allowances, one thousand five hundred dollars; Naval reserve.

For battalion headquarters, three hundred dollars;

For pay of shipkeeper, maintenance and expenses, six thousand five hundred dollars;

For pay and expenses of officers and men on annual cruise and practice cruises, four thousand eight hundred dollars;

Second battalion, in lieu of company allowances, one thousand five hundred dollars;

For battalion headquarters, three hundred dollars;

For pay of shipkeeper, maintenance and expenses, six thousand five hundred dollars;

For pay and expenses of officers and men on annual cruise and practice cruises, four thousand eight hundred dollars.

32.

ADJUTANT-GENERAL'S DEPARTMENT.

Adjutant-General's office.

For the Adjutant-General, for salary, two thousand five hundred dollars;

For compensation for clerical service in the Adjutant-General's office, seven thousand six hundred and twenty dollars;

For blanks and stationery for use in the Adjutant-General's office, one thousand five hundred dollars;

For postage, expressage and other incidental expenses for the Adjutant-General's office, one thousand dollars;

For annual dues to Interstate National Guard Association for the year one thousand nine hundred and thirteen, fifty dollars;

For printing, binding and distributing the annual report of the proceedings of the department of New Jersey, Grand Army of the Republic, five hundred dollars;

For clerical services and expenses incident to the compilation of the roster of officers and enlisted men of New Jersey in the Revolutionary and other wars, at Trenton, New Jersey and elsewhere, two thousand five hundred dollars;

For the purpose of carrying out the provisions of Joint Resolution number two, approved March seventeenth, one thousand nine hundred and nine, providing for the Civil War veteran medal, one hundred dollars.

33.

QUARTERMASTER-GENERAL'S DEPARTMENT.

Quartermaster-General's office.

For the Quartermaster-General, for salary, two thousand five hundred dollars;

For compensation for assistants in the department of the Quartermaster-General, namely:

For chief clerk, for salary, two thousand five hundred dollars;

For clerks, for salaries, three thousand six hundred dollars;

For military storekeeper, for salary, one thousand two hundred dollars;

For carpenter, machinist and to persons having in charge accoutrements, et cetera, cleaning arms, et cetera, teamster and laborer, for salaries, four thousand nine hundred and three dollars and seventy-five cents;

For blanks and stationery for use in Quartermaster-General's department, five hundred dollars;

For postage, expressage and other incidental expenses for the Quartermaster-General's department, four hundred and fifty dollars.

34.

COLLATERAL INHERITANCE TAX.

Inheritance tax.

For surrogate's fees, appraisers' compensation and expenses, legal and other disbursements, and for the purpose of carrying out the provisions of the collateral inheritance laws, forty thousand dollars;

There is hereby appropriated the unexpended balance remaining in the State treasury at the close of the fiscal year ending October thirty-first, one thousand nine hundred and thirteen, of the amount appropriated in paragraph two, item number thirty-four, in the annual appropriation act for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen, for the repayment of collateral inheritance taxes paid, as assessed under the collateral inheritance tax act and to the refund of which the estates having made payment may be entitled under the decision of the Court of Errors and Appeals of this State, rendered July eighth, one thousand nine hundred and ten, In re Dixon vs. Russell (Collard Estate), also those estates which having made payment may be entitled to refund under the decision of the Supreme Court, In re Moss vs. Edwards, rendered July seventeenth, one thousand nine hundred and twelve (John L. Foote Estate), provided the application for such repayment shall be made within two (2) years from the date of payment of such tax. Payment of such claims shall be made only when proven in form, manner and substance to the satisfaction of the State Comptroller and approved by the Attorney-General of this State.

35.

DEPARTMENT OF LABOR.

Labor bureau.

For the commissioner, for salary, six thousand dollars;

For the assistant commissioner, for salary, three thousand dollars;

For nineteen inspectors, for salaries, thirty-one thousand five hundred dollars;

For department clerks, for services, seven thousand five hundred dollars;

For printing, postage, expressage and other incidental expenses, ten thousand dollars;

For expenses of commissioner, assistant commissioner and inspectors, thirteen thousand dollars;

For salaries of expert assistants, seven thousand dollars.

36.

DEPARTMENT OF CHARITIES AND CORRECTIONS.

Charities; and building.

For salary of commissioner, four thousand dollars;

For salary of assistant (architect), three thousand six hundred dollars;

For salaries of draughtsmen, six thousand five hundred dollars;

For allowance for clerical service, five thousand three hundred and forty dollars;

For traveling expenses of commissioner and assistants, one thousand two hundred dollars;

For blanks, stationery, postage, et cetera, one thousand six hundred dollars;

For research work, two thousand dollars;

For salaries and expenses of two regular inspectors, and extra as needed, four thousand eight hundred dollars;

For services of engineers, surveyors and other technical services as needed, three thousand dollars.

37.

STATE BOARD OF TENEMENT HOUSE SUPERVISION.

Tenement houses.

For rent of offices, two thousand five hundred dollars;

For printing and stationery, eight hundred dollars;

For clerical service and stenographer, four thousand two hundred dollars;

For salary of architect and plan examiner, one thousand eight hundred dollars;

For twenty-nine inspectors, one thousand two hundred dollars each, thirty-four thousand eight hundred dollars;

For assistant plan examiner, one thousand three hundred and fifty dollars.

For salaries of six clerks, eight thousand one hundred dollars;

For secretary and executive officer, three thousand dollars;

For incidentals, postage and expressage, two thousand dollars;

For inspectors' expenses, four thousand dollars;

For traveling expenses of executive officer and plan examiners, four hundred dollars;

For expenses of members of the Board of Tenement House Supervision, five hundred dollars;

For office furnishings and supplies, three hundred dollars.

38.

CIVIL SERVICE COMMISSION.

Civil service.

For salaries and expenses of the Civil Service Commission, forty thousand dollars;

For salaries and expenses in carrying out the provisions of chapter one hundred and eighty-three, laws of one thousand nine hundred and eleven, eight thousand dollars;

For additional allowance for salaries and expenses in carrying out the provisions of chapter one hundred and eighty-three, laws of one thousand nine hundred and eleven, to be paid to Charles F. Holcombe, in monthly instalments, in addition to the salary now paid him by the Civil Service Commission, in relation to said act, four hundred and twenty dollars.

39.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Salaries and expenses.

For salaries and expenses of the Board of Public Utility Commissioners, one hundred and twenty-five thousand dollars.

40.

DEPARTMENT OF PUBLIC REPORTS.

Reports.

For salary of Commissioner of Public Reports, two thousand dollars;

For salary of clerk, six hundred dollars;

For blanks and stationery for use of the department, twenty-five dollars;

For postage, expressage and other incidental expenses for the department, twenty-five dollars.

41.

STATE WATER-SUPPLY COMMISSION.

Salaries and expenses.

For salaries of commissioners, twelve thousand five hundred dollars;

For salary of secretary, two thousand five hundred dollars;

For salary of stenographer, blanks, stationery, postage and other incidental expenses of the commission, one thousand five hundred dollars;

For expenses incurred in connection with new or additional water supplies, one thousand dollars;

For engineers, inspectors, field work, et cetera, three thousand dollars.

42.

DEPARTMENT OF INLAND WATERWAYS.

Inland waterways.

For the purpose of carrying out the provisions of chapter eighty-three, laws of one thousand nine hundred and eight, twenty-five thousand dollars;

For the purpose of carrying out the provisions of chapter two hundred and thirteen, laws of one thousand nine hundred and eleven, thirty thousand dollars;

For salary of the Commissioner of Inland Waterways, pursuant to chapter fifteen, laws of one thousand nine hundred and eight, two thousand dollars.

43.

DEPARTMENT OF ACCOUNTS.

Auditing. For salary of Auditor of Accounts, three thousand dollars;

For salaries of three assistants, two thousand dollars each, six thousand dollars;

For salary of stenographer, six hundred dollars;

For traveling expenses of auditor and three assistants, and incidental office expenses, nine hundred dollars.

Transferred to comptroller's office. The above items in this account, excepting the first item, are to be transferred to the office of the Comptroller, provided, such transfer is authorized by enactment of the present Legislature.

44.

EMPLOYERS' LIABILITY COMMISSION.

Expenses. For expenses of the Employers' Liability Commission, pursuant to chapter two hundred and forty-one, laws of one thousand nine hundred and eleven, three thousand five hundred dollars.

The above item to be transferred to the Department of Labor, provided, same is authorized by enactment of the present Legislature.

45.

DEPARTMENT OF WEIGHTS AND MEASURES.

Salaries and expenses. For salaries and expenses of the Department of Weights and Measures, pursuant to chapter two hundred and one, law of one thousand nine hundred and eleven, twelve thousand five hundred dollars.

46.

STATE BOARD OF EDUCATION.

Expenses. For necessary expenses of the State Board of Education, three thousand dollars.

47.

COMMISSIONER OF EDUCATION.

For salary of commissioner, ten thousand dollars; School system.

For salaries of four assistants, eighteen thousand dollars;

For clerical services, sixteen thousand dollars;

For salary of inspector of buildings, two thousand dollars;

For salary of inspector of accounts, two thousand dollars;

For blanks and stationery, nine thousand dollars;

For incidental expenses, eight thousand dollars;

For two thousand five hundred copies of the manual of the Legislature of New Jersey, two thousand five hundred dollars; provided, manuals are furnished for school use only, all public schools to be included in the distribution. Proviso.

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to chapter sixty-five of the laws of one thousand nine hundred and nine.

48.

STATE NORMAL SCHOOL AT TRENTON.

For the support of the State Normal School at Trenton, seventy thousand dollars; Trenton Normal School.

For necessary repairs to the grounds, buildings and furniture, and for keeping the same insured, twelve thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

49.

STATE NORMAL SCHOOL AT MONTCLAIR.

Montclair Normal School.

For support of the State Normal School at Montclair, fifty-six thousand two hundred and eighty-nine dollars;

For necessary improvements and repairs to the grounds, buildings and furniture, and for keeping the same insured, three thousand dollars; payments under this account to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

50.

STATE NORMAL SCHOOL AT NEWARK.

Newark Normal School.

For support of the State Normal School at Newark, forty-three thousand six hundred dollars.

51.

NEW JERSEY SCHOOL FOR THE DEAF.

Deaf-mute School.

For the New Jersey School for the Deaf, for the teaching, maintenance and clothing of pupils taught therein, for purchase and repair of furniture, school apparatus and other appliances, for making needed improvements and repairs in the buildings and grounds, for insurance thereof, and for maintaining the system of manual and industrial education in said school, sixty-five thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

52.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Bordentown School.

For maintenance of the Manual Training and Industrial School for Colored Youth, twenty-one

thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

53.

COUNTY SUPERINTENDENTS.

For county superintendents of schools, for salaries, sixty-three thousand dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine. Salaries.

54.

STATE BOARD OF EXAMINERS.

For expenses incurred by the State Board of Examiners, ten thousand five hundred dollars. Examiners.

55.

INDUSTRIAL EDUCATION.

For payments to schools established for industrial education, pursuant to chapter seventy-eight, laws of one thousand nine hundred and nine, thirty thousand dollars; Industrial schools.

For payments to schools for manual training, one hundred and fifty thousand dollars.

56.

FREE SCHOOL LIBRARIES.

For the formation of libraries in the free public schools of the State, seven thousand dollars. School libraries.

57.

PRACTICE TEACHING.

For extra compensation to the teachers in the various school districts in the State, for training the pupils in the State Normal School at Trenton in the art of teaching, five thousand dollars; Practice teaching.

For extra compensation to the teachers in the various school districts in the State, for training the pupils in the State Normal School at Montclair in the art of teaching, six thousand dollars.

58.

EVENING SCHOOL FOR FOREIGN-BORN RESIDENTS.

Night schools.

For the purpose of carrying out the provisions of an act entitled "An act providing for the establishment of evening schools for foreign-born residents in the State of New Jersey," approved April eleventh, one thousand nine hundred and seven, six thousand five hundred dollars; payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine.

59.

TEACHERS' RETIREMENT FUND.

Retirement fund.

To the board of trustees, for payment of expenses incurred in connection with the administration of the teachers' retirement fund, pursuant to chapter one hundred and thirty-nine, laws of one thousand nine hundred and seven, five thousand five hundred dollars;

To the State Treasurer, for expenses incurred in connection with the fund, pursuant to said chapter, as follows:

For clerical services, two thousand six hundred dollars;

For blanks, stationery, postage, expressage, et cetera, five hundred dollars.

60.

TEACHERS' INSTITUTES.

Institutes.

For expenses of teachers' institutes, four thousand dollars.

61.

TEACHERS' LIBRARIES.

Teachers' libraries.

For the establishment and maintenance of libraries for use of teachers, two hundred dollars.

62.

SUMMER COURSES IN AGRICULTURE, ETC.

Summer schools.

For the purpose of carrying out the provisions of Assembly bill number six hundred and sixty-nine, eight thousand dollars; provided said bill becomes a law, payment to be made as provided by chapter sixty-five, laws of one thousand nine hundred and nine.

Proviso.

63.

BUREAU OF SHELL FISHERIES.

Shell fisheries.

For the chief of the bureau, for salary, one thousand eight hundred dollars;

For salary of stenographer, six hundred dollars;

For blanks, stationery and other incidental expenses, six hundred dollars.

64.

STATE OYSTER COMMISSION.

State oyster commission.

For the better regulation and control of the taking, planting and cultivating of oysters on the lands lying under the tide waters of the Delaware river, Delaware bay, Maurice river cove and Raritan bay, in the State of New Jersey, thirteen thousand dollars;

For the protection of the natural seed oyster grounds on lands lying under the tidal waters of the Delaware river and Delaware bay, north of "southwest line," in the State of New Jersey, four thousand dollars;

For expenses of surveying and mapping lands to be leased for oyster culture under the tidal waters of the Delaware river, Delaware bay, Maurice river cove and Raritan bay, in the State of New Jersey, eight hundred dollars.

65.

STATE OYSTER COMMISSION FOR THE DISTRICT OF ATLANTIC COUNTY.

Atlantic oyster district.

For the commissioners, for salaries, nine hundred dollars;

For the superintendent, for salary, one thousand dollars;

For patrol service, two thousand two hundred dollars;

For incidental expenses, three hundred dollars;

For surveys, one hundred and fifty dollars.

66.

STATE OYSTER COMMISSION FOR THE DISTRICT OF OCEAN COUNTY.

Ocean oyster district.

For the commissioners, for salaries, seven hundred and fifty dollars;

For the superintendent, for salary, one thousand dollars;

For patrol service, one thousand dollars;

For incidental expenses, four hundred dollars; Proviso. provided all bills are approved by the Governor;

For office rent, fifty dollars.

67.

STATE HOSPITALS.

State asylums.

For traveling expenses of managers, eight hundred dollars;

For expenses in transferring insane convicts, two hundred dollars;

For medical examination of insane convicts, three hundred dollars.

68.

STATE HOSPITAL AT MORRIS PLAINS.

For maintenance of county patients, at the rate of two dollars per week; for support and clothing of insane convicts, at the rate of five dollars per week for each insane convict; and support and clothing of indigent patients, at the rate of four dollars per week, three hundred fifty-one thousand dollars; Morris Plains asylum.

For salaries of officers, twenty-three thousand dollars;

For appraisement of personal property two hundred dollars;

For insurance, premiums, four thousand dollars;

For furnishings for addition to female nurses' cottage, one thousand four hundred dollars;

For painting materials, three thousand dollars;

For storehouse and equipment, fifteen thousand dollars;

For equipment of workshops, three thousand five hundred dollars;

For rebuilding of summer houses, two thousand eight hundred dollars;

For glass recreation pavilion (men's side and women's side), nine thousand dollars;

For expense account for research work by physicians, eight hundred dollars;

To continue eugenic field work, two thousand dollars.

69.

STATE HOSPITAL AT TRENTON.

For maintenance of county patients, at the rate of two dollars per week; for support and clothing of insane convicts at the rate of five dollars per week for each insane convict; and support and Trenton asylum.

clothing of indigent patients, at the rate of four dollars per week, one hundred and eighty-six thousand five hundred and seventy-six dollars;

For salaries of officers, seventeenth thousand seven hundred dollars;

For appraisement of personal property, two hundred dollars;

For research work, two thousand five hundred dollars;

For laboratory supplies and apparatus, one thousand dollars;

For the erection of a house of detention for convict or criminal insane, pursuant to chapter two hundred and sixty-one, laws of one thousand nine hundred and eleven, fifty thousand dollars;

For steam radiators, piping, plumbing, et cetera, ten thousand dollars;

For X-ray apparatus, two thousand dollars.

70.

COUNTY LUNATIC ASYLUMS.

County asylums.

For the support of county patients in the Essex county lunatic asylum, one hundred and sixty thousand dollars;

In the Hudson county lunatic asylum, seventy-five thousand dollars;

In the Camden county lunatic asylum, twenty-four thousand dollars;

In the Burlington county lunatic asylum, sixteen thousand two hundred dollars;

In the Passaic county lunatic asylum, four thousand dollars;

In the Gloucester county lunatic asylum, one thousand dollars;

In the Cumberland county lunatic asylum, thirteen thousand dollars;

In the Salem county lunatic asylum, one thousand dollars;

In the Atlantic county lunatic asylum, eleven thousand dollars.

71.

STATE PRISON.

State prison.

For maintenance of the State Prison and maintenance of the convicts, one hundred thousand dollars;

For maintenance of principal keeper and resident physician, pursuant to chapters one hundred and sixty-three and two hundred and forty-four, of the laws of one thousand nine hundred and six, one thousand eight hundred dollars;

For furniture, appliances and repairs of State Prison, twelve thousand dollars;

For the principal keeper, for salary, three thousand five hundred dollars;

For the supervisor, for salary, three thousand dollars;

For the physicians, deputy keepers and employees, for salary, one hundred and twelve thousand dollars;

For the six inspectors, for salaries, three thousand dollars;

For the keeper, for payments to discharged convicts, six thousand dollars;

For teacher and moral instructor to the convicts in the State Prison, for salary, one thousand two hundred dollars;

For traveling and other necessary expenses incurred by the parole agent, pursuant to chapter two hundred and thirty-two, laws of one thousand nine hundred and five, seven hundred dollars;

For maintenance of the electrocution plant, pursuant to the provisions of chapter seventy-nine, laws of one thousand nine hundred and six, and acts amendatory thereto, six thousand dollars;

For the maintenance of a school in the State Prison, pursuant to chapter sixty-five, laws of one thousand nine hundred and seven, one thousand six hundred dollars;

For bureau of identification, two hundred dollars;

The following sums are appropriated, provided necessary legislation is enacted authorizing the securing of a farm for the working of prisoners committed to the State Prison:

For buildings, ten thousand dollars;

For provision and furniture, two thousand dollars.

72.

NEW JERSEY REFORMATORY.

Rahway reformatory.

For traveling and other official expenses of commissioners, five hundred dollars;

For the superintendent, for salary, four thousand dollars;

For the subordinate officers and employees, for salaries, sixty-five thousand dollars;

For maintenance, sixty thousand dollars;

For furniture, appliances and repairs (including industrial departments), eighteen thousand dollars;

For the superintendent, for payments to dis charged inmates and recapturing escapes, three thousand five hundred dollars;

For traveling expenses of parole officers, one thousand five hundred dollars;

For fuel and water, fifteen thousand dollars;

For farm live stock, implements, et cetera, one thousand dollars;

For rent of house for superintendent, six hundred and sixty dollars;

For traveling expenses for superintendent when on official business, two hundred dollars;

For materials for foundry building, five thousand dollars;

For trees and shrubbery, three hundred dollars.

73.

STATE HOME FOR BOYS.

Jamesburg school.

For the trustees of the New Jersey State Home for Boys, one hundred and four thousand dollars;

For the trustees of said home, for expenses incurred by them in the discharge of their duties, two hundred dollars;

For repairs to the buildings and grounds, six thousand dollars.

74.

STATE HOME FOR GIRLS.

Girls' home.

For the trustees of the New Jersey State Home for Girls, for the support and necessary repairs to the home, eighty thousand dollars;

For the trustees of said home, for expenses incurred in the discharge of their duties, five hundred dollars;

For salaries of two parole officers, one thousand four hundred dollars;

For traveling expenses of the parole officers, six hundred dollars;

For fire insurance premiums, four hundred and fourteen dollars;

For a hospital fund, six hundred dollars;

For research work, one thousand dollars;

For manual training teacher, tools, et cetera, five hundred dollars;

For repairs to buildings, et cetera, one thousand dollars;

For furnishings for hospital, one thousand five hundred dollars.

75.

VILLAGE FOR EPILEPTICS.

Epileptic village.

For expenses of managers, six hundred dollars;

For salaries of officers, twelve thousand dollars;

For maintenance, including fuel and light, one hundred and ten thousand dollars;

For repairs and improvements, eight thousand dollars;

For trees and shrubbery, five hundred dollars;
For furniture and equipment, six thousand dollars;
For buildings for patients, seventy-five thousand dollars;
For cottage for patients, thirty-five thousand dollars.

76.

SANATORIUM FOR TUBERCULOUS DISEASES.

Sanatorium.

For maintenance, one hundred thousand dollars;
For construction of an infirmary building and laboratory, twenty thousand dollars;
For construction of a cow barn, twelve thousand dollars;
For purchase of cows, four thousand five hundred dollars.

77.

BLIND AND FEEBLE-MINDED.

Blind.

For clothing, maintenance, support and instruction of the blind persons, inhabitants of this State, twenty thousand dollars;
For clothing, maintenance, support and instruction of the feeble-minded persons, inhabitants of this State, ninety thousand dollars;

Feeble-minded.

For housing, care and maintenance of feeble-minded children, including feeble-minded blind and other special cases, five thousand four hundred dollars, at a per capita not to exceed four hundred dollars per annum.
For maintenance, support and instruction of feeble-minded women, sixty-one thousand dollars.

78.

HOME FOR FEEBLE-MINDED WOMEN. VINELAND.

Vineland home for women.

For research work, one thousand dollars;
For fire insurance premiums, seven hundred and eighty dollars.

79.

STATE REFORMATORY FOR WOMEN.

Reformatory for women.

For salaries of officers and employees, three thousand six hundred dollars;
For maintenance, six thousand dollars;
For insurance, five hundred dollars;
For extra help and miscellaneous expenses, one thousand dollars;
For fertilizers, nine hundred dollars;
For seeds and plants for crops, two hundred and fifty dollars;
For maintenance of live stock, one thousand nine hundred dollars;
For wages and board of three men, one thousand eight hundred dollars;
For horse-shoeing and repairs to wagons, harness, etc., five hundred dollars;
For renewal of live stock, three hundred dollars;
For cottage to contain thirty girls, twenty-five thousand dollars;
For building roads, gutters, etc., three thousand five hundred dollars.

80.

STATE BOARD OF CHILDREN'S GUARDIANS.

Expenses.

To the State Board of Children's Guardians, for expenses, sixteen thousand three hundred and twenty-eight dollars and thirty-eight cents.

81.

COMMISSION FOR AMELIORATING THE CONDITION OF THE BLIND.

Aiding blind.

For the purpose of carrying out the provisions of chapter one hundred and thirty-six, laws of one thousand nine hundred and nine, seven thousand five hundred dollars.

82.

BOARD OF EXAMINERS OF FEEBLE-MINDED, EPILEPTICS, CRIMINALS AND OTHER DEFECTIVES.

Sterilization.

For expenses incurred in carrying into effect the provisions of chapter one hundred and ninety, laws of one thousand nine hundred and eleven, five hundred dollars.

83.

NEW JERSEY HOME FOR DISABLED SOLDIERS, SAILORS, MARINES AND THEIR WIVES AND FOR THEIR WIDOWS, AT VINELAND.

Soldiers' home at Vineland.

For salary of commandant, one thousand five hundred dollars;

For salary of adjutant, one thousand dollars;

For salaries of assistants, fifteen thousand dollars;

For maintenance and all other expenses, sixty-seven thousand three hundred and seventy-five dollars;

For fire insurance premiums, one hundred seventy-seven dollars and fifty cents;

For traveling expenses of the Board of Managers, three hundred dollars;

84.

HOME FOR DISABLED SOLDIERS AT KEARNY.

For the support of the New Jersey Home for Disabled Soldiers at Kearny, and for the chaplain thereof, fifty-five thousand dollars. Kearny home.

85.

SOLDIERS' STATE PAY.

For claims of volunteers in the Civil War, for State pay, pursuant to chapter thirteen of the laws of one thousand eight hundred and sixty-one, one hundred dollars. Claims.

86.

STATE BOARD OF AGRICULTURE.

For the State Board of Agriculture, eleven thousand dollars; Board of agriculture.

For the State Board of Agriculture, for the purpose of carrying out the provisions of an act to prevent the introduction into and spread of injurious insects in New Jersey, to provide a method for compelling their destruction, to create the office of State Entomologist, to authorize the inspection of nurseries and to provide for certificates of inspection, seven thousand dollars;

For the purpose of carrying out the provisions of chapter fifty-four, laws of one thousand nine hundred and eleven, five thousand dollars;

For the purpose of carrying out the provisions of chapter sixty, laws of one thousand nine hundred and eleven, two thousand dollars.

87.

TUBERCULOSIS COMMISSION.

For expenses and payments by the State Tuberculosis Commission, fifty thousand dollars. Tuberculosis.

88.

STATE AGRICULTURAL COLLEGE.

State college.

To the treasurer of Rutgers College, to pay the State Agricultural College for the benefit of agriculture and the mechanic arts, pursuant to chapter ninety of the laws of one thousand nine hundred and five, and amendments thereto, thirty thousand dollars, payment to be made pursuant to chapter sixty-five, laws of one thousand nine hundred and nine;

For salaries, supplies and all other expenses for the maintenance of short courses in practical and scientific agriculture, pursuant to chapter fifty-five of the laws of one thousand nine hundred and five, and chapter forty-three of the laws of one thousand nine hundred and seven, twenty thousand dollars;

For the purpose of carrying into effect the provisions of "An act to provide for the establishment of a course in practical and scientific instruction in the art of clay working and ceramics in the State Agricultural College," approved March seventeenth, one thousand nine hundred and two, and a supplement approved March fourteenth, one thousand nine hundred and seven, being chapter seven, laws of one thousand nine hundred and seven, five thousand dollars;

For furnishing and equipping the agricultural building, twenty thousand dollars;

For furnishing and equipping the department of bacteriology, biology and botany, seven thousand five hundred dollars;

For reference books and periodicals, two thousand dollars;

For maintenance and development of college farm grounds, three thousand dollars.

89.

AGRICULTURAL EXPERIMENT STATION.

For salaries and expenses of the Agricultural Experiment Station, twenty-five thousand dollars; Experiment station.

For printing bulletins of the Agricultural Experiment Station, three thousand dollars;

For expenses incurred by the New Jersey Agricultural Experiment Station in carrying out the provisions of "An act concerning the regulation of the sale of concentrated commercial feeding stuffs," three thousand dollars;

For the purpose of carrying out the provisions of "An act to provide for locating and abolishing mosquito-breeding salt-marsh areas within the State, for assistance in dealing with certain inland breeding places, and appropriating money to carry its provisions into effect," approved April twentieth, one thousand nine hundred and six, fifteen thousand dollars;

For scientific investigation of oyster propagation, pursuant to chapter one hundred and eighty-seven, laws of one thousand nine hundred and seven, nine hundred dollars;

For the maintenance and operation of the department of poultry husbandry, pursuant to chapter fifty-two, laws of one thousand nine hundred and eleven, three thousand dollars;

For the purpose of carrying into effect the provisions of chapter one hundred and fifty-seven of the laws of one thousand nine hundred and twelve, two thousand dollars;

For the purpose of maintaining and carrying on experimental work in floriculture, pursuant to chapter one hundred and thirty, laws of one thousand nine hundred and eleven, three thousand dollars;

For expenses incurred in carrying out the provisions of chapter eighty-nine, laws of one thousand nine hundred and twelve, one thousand dollars;

For repairs and improvements in experiment station building, one thousand five hundred dollars;

All fees and receipts of the experiment station received under the provisions of chapters two hundred and eighteen, and one hundred and seventy-nine, laws of one thousand nine hundred and twelve, are hereby appropriated for the uses and purposes expressed by said chapters.

90.

LIVE STOCK COMMISSION.

Live stock.

For the purpose of carrying out the provisions of chapter fifty-six and chapter two hundred and twelve, laws of one thousand nine hundred and eight, ten thousand dollars.

91.

AGRICULTURAL COLLEGE FUND.

Agricultural college fund.

To the Treasurer of Rutgers College, for interest on one hundred and sixteen thousand dollars, certificates of indebtedness of the State of New Jersey, due January first and July first, one thousand nine hundred and fourteen, pursuant to the provisions of chapter one hundred and thirty-five of the laws of one thousand eight hundred and ninety-six, five thousand eight hundred dollars.

92.

BOARD OF VISITORS TO THE AGRICULTURAL COLLEGE OF NEW JERSEY.

Expenses.

For the Board of Visitors to the Agricultural College of New Jersey, for personal expenses incurred pursuant to chapter three hundred and sixty-five of the laws of one thousand eight hundred and seventy-three, fifty dollars;

For advertising pursuant to chapter nine of the laws of one thousand eight hundred and seventy-nine, ninety dollars.

93.

STATE HORTICULTURAL SOCIETY.

To the treasurer of the New Jersey State Horticultural Society, pursuant to chapter one hundred and forty-one, laws of one thousand nine hundred and eleven, two thousand dollars. Horticulture.

94.

STATE SCHOOL TAX.

For the purpose of reducing the State school tax to be assessed for the year one thousand nine hundred and fourteen, one hundred thousand dollars. School tax.

95.

EMERGENCY.

For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental expense of commissioners appointed by him under statute or in his discretion, the sum of ten thousand dollars. Emergencies.

96.

REFUNDING TAXES ON MISCELLANEOUS CORPORATIONS.

For taxes improperly levied upon or paid by corporations, to be refunded, pursuant to law, one thousand dollars. Refund taxes.

97.

STATE BOARD OF CANVASSERS.

For per diem allowance of ten dollars to each member of the Board of State Canvassers, and incidental expenses connected therewith, five hundred dollars. Per diem and expenses.

98.

REFUND OF RAILROAD TAX.

Overpayments.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon for any year, pursuant to chapter two hundred and eighty-eight, laws of one thousand eight hundred and eighty-eight, and the acts amendatory thereof and supplementary thereto, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Comptroller, said payments shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

99.

LEGISLATURE.

Legislature.

For compensation of Senators and members of the General Assembly, forty thousand eight hundred and thirty-three dollars and thirty-two cents;

For compensation of officers and employees of the Legislature, forty-seven thousand two hundred and fifty dollars;

For stationery for use of the legislative session, pursuant to chapter two hundred and eight of the laws of one thousand eight hundred and sixty-eight, four hundred dollars;

For manuals of the Legislature of New Jersey, two thousand dollars;

For indexing the journal of the Senate and minutes of the executive sessions and the minutes of the House of Assembly, and other incidental and contingent expenses of the Legislature, seven thousand dollars;

For toilet and other necessary supplies for use at the legislative session to be furnished by the State House Commission, eight hundred dollars.

100.

ADVERTISING.

For advertising proclamations issued by the Governor, notices of the Attorney-General in relation to delinquent miscellaneous corporations, and notices of the Comptroller in regard to public printing, et cetera, three thousand five hundred dollars. Advertising.

101.

PRINTING.

For printing and binding public documents, sixty-five thousand dollars; Printing.

For compensation of an expert printer for services in preparation of specification for bids, supervision of work, examination of bills, and such other duties as may by law be imposed upon him, nine hundred dollars;

For preparing index of session laws, one hundred dollars;

For printing and circulation of the laws, ten thousand dollars.

102.

PRESERVATION OF RECORDS.

For the purpose of publishing and completing the early records of this State, known as "New Jersey Archives," three thousand dollars. Archives.

103.

MONMOUTH BATTLE MONUMENT.

For the commission having in charge the Monmouth battle monument and grounds, pursuant to chapter one hundred and eighteen of the laws of one thousand eight hundred and eighty-six, five hundred dollars. Freehold monument.

104.

TRENTON BATTLE MONUMENT.

Trenton monument.

For the Trenton Battle Monument Association, for the purpose of keeping said property in good condition and repair, five hundred dollars.

105.

PENSIONS.

Pensions.

For amount required to pay pensions, pursuant to various acts relative thereto irrespective of any provision therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired, twelve thousand two hundred and forty-four dollars.

106.

JUDICIAL RETIREMENT FUND.

Judges' pensions.

For the purpose of carrying out the provisions of chapter three hundred and thirteen, laws of one thousand nine hundred and eight, and chapter one hundred and eighty-five, laws of one thousand nine hundred and eleven, ten thousand three hundred and thirty-three dollars and thirty-three cents.

107.

ANNUITY FOR WIDOWS OF GOVERNORS.

Annuities.

For the purpose of carrying into effect the provisions of chapter one hundred and forty-six of the laws of one thousand nine hundred and twelve, four thousand eight hundred dollars.

108.

WASHINGTON ASSOCIATION OF NEW JERSEY.

For trustees of the Washington Association of New Jersey, pursuant to chapter three hundred and nine, laws of one thousand eight hundred and seventy-four, twenty-five hundred dollars. Morristown headquarters.

109.

COMMISSIONERS OF THE PALISADES INTERSTATE PARK.

For expenses incurred by the Commissioners of the Palisades Interstate Park, two thousand five hundred dollars; said expenses to be approved by the Governor. Palisades Park.

110.

MORRIS CANAL INVESTIGATION COMMITTEE.

For expenses incurred by the committee appointed pursuant to Joint Resolution number ten, passed April twelfth, one thousand nine hundred and twelve, five thousand dollars. Abandonment of canal.

111.

RIPARIAN COMMISSION.

For salaries of Riparian Commissioners, six thousand dollars; Riparian rights.

For salaries and expenses incurred in the prosecution of the work of the commissioners, nine thousand two hundred and sixty dollars.

112.

INSPECTION OF POWER VESSELS.

For salary of chief inspector, six hundred dollars; Inland navigation.

For expenses of chief inspector, three hundred seventy-five dollars;

For salary and expenses of assistant inspector, seven hundred and fifty dollars;

For expenses of maintaining office at Lake Hopatcong for registration of boats, et cetera, pursuant to chapter seven, laws of one thousand nine hundred and ten, five hundred dollars.

113.

HEALTH OFFICERS OF THE PORT OF PERTH AMBOY.

Salaries. For salary of the health officer of the port of Perth Amboy, pursuant to chapter three hundred and twenty-eight, laws of one thousand nine hundred and six, one thousand dollars:

For salary of the deputy health officer of the port of Perth Amboy, pursuant to said chapter, two hundred and fifty dollars;

114.

OBSTRUCTIONS TO NAVIGATION.

Removals. For expenses incurred in removing any boat, barge or scow stranded or sunk in any of the navigable rivers of this State, two hundred dollars.

115.

BODIES THROWN UPON SHORES OF THE STATE BY SHIPWRECK.

Shipwrecked bodies. For expenses incurred in viewing bodies cast upon shores by shipwreck, one hundred dollars.

116.

BURIAL GROUNDS.

Cemeteries. For the care and maintenance of burial grounds purchased by the State, pursuant to chapter one hundred and seventy-one, laws of one thousand eight hundred and ninety-eight, seventy-five dollars.

117.

STATE CHARITIES AID ASSOCIATION.

For expenses of the association, pursuant to chapter one hundred and twenty, laws of one thousand eight hundred and ninety-two, six hundred dollars. Expenses.

118.

SHARK RIVER INLET, MONMOUTH COUNTY.

For the purpose of carrying into effect the provisions of chapter one hundred and thirty, laws of one thousand nine hundred and twelve, and supplement thereto, fifteen thousand dollars, said appropriation to be in addition to that heretofore made for the same purpose and to be used in connection therewith as though the same were included in one appropriation and a contract for said work may be let for an amount not exceeding the total amount available from all sources; said contract, however, to provide that no right of payment shall be hereby created in excess of the amount actually available for payment as the appropriations become effective. Shark river inlet.

119.

COMMISSION TO INVESTIGATE PORT CONDITIONS.

For expenses incurred by commissioners appointed pursuant to Joint Resolution number three, approved March twenty-ninth, one thousand nine hundred and eleven, ten thousand eight hundred dollars. Port facilities.

120.

WASHINGTON ROCK PARK COMMISSION.

For the purpose of carrying into effect the provisions of chapter one hundred and forty-one of the laws of one thousand nine hundred and thirteen, five thousand dollars. Washington Rock park.

121.

BOARD OF FISH AND GAME COMMISSIONERS. GAME FARM AND FISH HATCHERY.

Game farm. Hatchery.

For the completion of the game farm on the site purchased in Ocean County and the fish hatchery on the site purchased in Warren County, including pools, ponds and lakes, dams, spring house, ice house, lodge house at entrance and iron gate, grading roads and macadamizing same and building tenant house, dwellings, storm channel, fences, sewerage system, machinery and tools, water system, pumping plant, auto truck, breeding pens and other incidental expenses, fifty thousand dollars.

122.

NEW JERSEY INTERSTATE BRIDGE AND TUNNEL COMMISSION.

Interstate commission.

For expenses of the commission appointed pursuant to Joint Resolution number four, approved March twenty-first, one thousand nine hundred and twelve, seventeen thousand five hundred dollars.

123.

COMMISSION ON OLD AGE INSURANCE AND PENSIONS.

Expenses.

For expenses incurred by the Commission appointed pursuant to chapter one hundred and ninety-eight, laws of one thousand nine hundred and eleven, six hundred dollars.

124.

COMMISSION UPON REORGANIZATION AND CONSOLIDATION OF INTER-RELATED DEPARTMENTS OF STATE.

Efficiency of departments.

For the purpose of carrying into effect the provisions of Joint Resolution number six, approved April first, one thousand nine hundred and twelve, four thousand dollars.

125.

SAN FRANCISCO EXPOSITION COMMISSION.

To the San Francisco Exposition Commission, for the uses and purposes expressed in chapter twenty-five, laws of one thousand nine hundred and twelve, and any amendment thereof or supplement thereto, seventy-five thousand dollars. San Francisco fair.

126.

INSURANCE FUND.

For the purpose of carrying into effect the provisions of chapter one hundred and twenty-three, laws of one thousand nine hundred and thirteen, fifty thousand dollars. State insurance.

127.

CONFERENCE COMMISSIONERS ON MOTOR VEHICLE LAW.

For the purpose of carrying into effect the provisions of Joint Resolution number two, approved February twenty-fifth, one thousand nine hundred and thirteen, three thousand dollars. Interstate motor vehicle regulation.

128.

MAJOR-GENERAL PHILIP KEARNY STATUE.

For the purpose of carrying into effect the provisions of Joint Resolution number four, approved March twenty-seventh, one thousand nine hundred and thirteen, six thousand dollars. Kearny statue.

129.

PRISON LABOR COMMISSION.

For the purchase of a quarry, twelve thousand five hundred dollars; Empoyment of prisoners.

For stenographer and clerk hire, one thousand five hundred dollars;

For printing, postage, expressage and other incidental expenses, five hundred dollars;

For expenses of commissioners, one thousand five hundred dollars.

130.

COMMISSION TO INVESTIGATE THE METHOD OF MAKING ASSESSMENT OF TAXES.

Expenses.

For expenses of the commission appointed pursuant to Joint Resolution number seven, approved April first, one thousand nine hundred and twelve, two thousand dollars; provided said commission is continued by enactment of the present Legislature.

Proviso.

130A.

Damaged oysters.

Proviso.

For John F. Conover, covering damages to oyster grounds leased from the State, providing the act authorizing same becomes a law, three thousand five hundred dollars.

131.

COMMISSION ON THE CARE OF MENTAL DEFECTIVES.

Expenses.

For expenses incurred by the commission appointed pursuant to Senate Joint Resolution number four, two thousand five hundred dollars; provided said resolution becomes a law.

Proviso.

School aid.

2. The following sums are hereby appropriated out of the income of the school fund for the purposes specified for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and fourteen.

1.

FREE PUBLIC SCHOOLS.

For the support of free public schools, two hundred and fifty thousand dollars.

2.

PREMIUMS AND ACCRUED INTEREST.

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of public schools.

3.

SCHOOL FUND EXPENSES.

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof, four thousand dollars. Expenses of fund.

3. Before any building or buildings shall be commenced or work undertaken, for the cost of which money is appropriated by this act, the plans, specifications and contracts necessary for the entire completion thereof shall, and each of them shall be submitted to and approved by the Governor, and such contracts shall not be approved or entered into if the total expenditure under all the contracts necessary to the entire completion of such building, buildings, or work according to such plans and specifications shall exceed the amount appropriated by this act for such building, buildings or work; and in any and every case where it shall appear that the appropriation is insufficient to complete such building, buildings or work, the appropriation hereby made therefor shall not be applied toward the construction of such building or buildings, or prosecution of such work, but shall lapse and no payment shall be made therefrom. Approval of plans and contracts by governor. If appropriation insufficient to lapse.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, United States appropriation for Moneys used as specified.

disabled soldiers, United States appropriations for disabled soldiers, sailors, marines and their wives, Agricultural College fund and taxes for the use of taxing districts in this State, moneys received pursuant to the laws relating to motor vehicles, moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous year, nor of any payments into the State treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven (chapter two hundred and eighty-eight, laws of one thousand nine hundred and seven), which moneys by the provisions of chapter forty-one, laws of one thousand nine hundred and eight, are appropriated for the maintenance of said State institution and commissions making such payments, and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners as license fees, under any of the fish and game laws of this State, which moneys may be paid out as other moneys of the State; *provided, however,* that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison as receipts for the labor of inmates of those institutions.

Section how construed.

Proviso.

Effective.

5. This act shall take effect on the first day of November, one thousand nine hundred and thirteen.

Approved April 10, 1913.

CHAPTER 331.

A Supplement to an act entitled "An act concerning minors, their adoption, custody and maintenance (Revision of 1902)."

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

Care of children.

1. The mother of an illegitimate child (whether married or single) shall have the exclusive right to its custody and control and the putative father of such child shall have no right of custody, control or access to such child without the mother's consent; *provided,* that if it is proved that the mother is unfit to have the custody and control of such child, then it shall be lawful for the Court of Chancery or any other court which may have jurisdiction in the premises to make any order touching the custody or control of such child which might heretofore have been made.

Proviso.

Intention of law.

2. This act is intended to be declaratory of the existing law upon this subject and it shall, under no circumstances, be construed as an implication that the rights of such a mother have hitherto been less than as hereinabove defined.

3. This act shall take effect immediately.

Approved April 8, 1913.

CHAPTER 332.

An Act to establish a new township in the county of Warren to be called the township of White.

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

Boundaries of White township.

1. All that part of the township of Oxford, in the county of Warren, contained within the fol-

lowing bounds, to wit: Beginning at the easterly side of the public highway running from Cornish to Brass Castle at the boundary line between Washington and Oxford townships, and running thence in a northwesterly direction to a cherry tree standing at the southeast corner of the garden of Samuel Parks on the public road running from the Brass Castle-Cornish public road at the residence of Henry Race to Oxford; thence in a straight line to the junction of the Hazen-Oxford public road with the public road running easterly by the residence of Mrs. Paul A. Queen; thence in a straight line in a northeasterly course to the junction of the Bridgeville-Oxford and the Hazen-Buttsville public roads on the Raub farm and running thence along the southerly line of the Hazen-Buttsville public road to the east side of the Buttsville-Oxford public road at the George Jones farmhouse; thence in a northwesterly direction along the easterly side of said last named road a distance of two hundred and ninety-two feet to its intersection with a public road running in a southeasterly direction; thence along the southerly line of said last mentioned road to the northerly side of the Oxford-Townsbury public road; thence along the northerly line of said last named public road, passing the farm buildings of Enos Hoagland on the south side, to the boundary line between the townships of Oxford and Mansfield; thence in a northeasterly direction along said boundary line to its intersection with the boundary line between the townships of Oxford and Hope; thence along said last named boundary line in a northwesterly direction to the boundary line between the townships of Oxford and Knowlton; thence along the last boundary line in a southwesterly direction to the center of the Delaware river; thence down the center line of the Delaware river to the boundary line between Oxford township and the town of Belvidere; thence from the center line of the Delaware river along and around the boundary line between said

township of Oxford and town of Belvidere to the center line of the Delaware river; thence down the center line of the Delaware river to the boundary line between the townships of Oxford and Harmony; thence along said last boundary line to its junction with the boundary line between the townships of Oxford and Washington; thence along said last boundary line to the place of beginning, shall be and hereby is set off from the township of Oxford in the county of Warren, and made a separate township, to be known by the name of the township of White.

Corporate name.

2. The inhabitants of that portion of Oxford township, in the county of Warren, described in the foregoing lines, shall be and they hereby are constituted a body politic and corporate in law, and the said township shall be entitled and known by the name of "The Township of White, in the County of Warren," and shall be entitled to all the rights, powers, authorities, privileges and advantages, and be subject to the same regulations, government and liabilities as the other townships in the county of Warren are or may be entitled or subject to by the laws of this State.

Division of township property, etc.

3. Nothing herein contained shall interfere with or impair the present township officers until the induction into office of such as are required by law to be elected at the next annual election, and thereafter the township committees of the two townships shall proceed, by writing, signed by a majority of those present, to be called for that purpose, to allot and divide between their respective townships all property and moneys on hand, due and to become due, in proportion to the taxable property and ratables, as taxed by the assessor, in their respective limits at the last assessment, and may adjourn the said meeting from time to time.

Moneys voted to be raised.

4. All moneys voted heretofore, and not yet raised, or hereafter to be levied, for the building to or repair of school buildings shall be levied and assessed on the taxable property in the school

district in which such school buildings shall be built to or repaired; and that the school moneys for teachers and current expenses shall be allotted by the district school board as heretofore until the school board shall be duly elected in said township of White, after which such school moneys on hand shall be justly divided between said school districts in the manner stated for the division of township property and money.

Allotment of school moneys.

Referendum.

5. This act shall take effect immediately; *provided,* it shall not operate to effect the incorporation of the territory above described as a township of this State until it shall have been accepted by a vote of a majority of the legal voters of the said described territory voting thereon, at a special election to be held within said territory within thirty days from the approval of this act and within the hours of six A. M. and six P. M. of the day fixed for election, at a place within said territory, to be fixed by the clerk of the township of Oxford. The clerk of said township shall cause public notice of the time and place of holding said election to be given by advertisements signed by himself and set up in at least ten public places within said described territory, and published in one or more newspapers printed or circulating therein, at least ten days prior to such election; and said clerk shall provide for each elector voting at such election, ballots to be printed or written, or partly printed and partly written, on which shall be printed the word "for" and the word "against" above and immediately preceding the title of this act; and if the word "for" be marked off or defaced upon the ballot it shall be counted as a vote against the acceptance of said act; if the word "against" is marked off or defaced upon the ballot, it shall be counted as a vote in favor of the acceptance thereof; and in case neither the word "for" nor the word "against" be marked off or defaced upon the ballot it shall not be counted either as a vote for or against such acceptance. Such election shall

Special election.

Notice of.

be held at the time and place so appointed, and be conducted by the officers of the first election district of said township of Oxford, except that no special form of ballot or envelope need be used. The officers holding such election shall make return to the township committee of said township of Oxford of the result thereof, by a statement, in writing, under their hands, and the same shall be entered at length on the minutes of said township committee; and thereupon and upon such adoption, but not otherwise, this act shall in all respects be operative.

Election, how conducted.

Result.

6. The register of voters within said described territory used at the general election next preceding the holding of such special election. It shall not be necessary for the board of registry and election in said described territory to make a new registry of voters for such special election, but only to revise and correct the register made for the last general election, and for that purpose the said board shall meet at such place within said described territory as shall be designated by the clerk of said township of Oxford at least one week preceding said election. Notice of the place so designated shall be given by the clerk by posting in at least five of the most public places in said described territory. Said meeting of the boards of registry and election shall begin at one o'clock in the afternoon and continue until nine o'clock in the evening of that day, for the purpose of revising and correcting the register and adding thereto the names of all persons entitled to vote within said described territory at said special election, who shall appear in person before them and establish to the satisfaction of the majority of the board that they are entitled to vote at said election, or who shall be shown by a written affidavit of a voter residing in said described territory to be entitled so to vote; a separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be

Registry.

Revised register.

Registering by affidavit.

signed by him; and on the following day one copy thereof shall be delivered to the chairman of the county board of election of Warren county, to be filed by said board, and one copy shall be retained for the use of said board of election at such special election.

Certified copy filed.

7. Immediately after the statement of the result of such election shall be made to the township committee of said township of Oxford a copy thereof, certified by its clerk, shall be forthwith filed in the office of the county clerk of said county of Warren.

Approved April 9, 1913.

CHAPTER 333.

An Act to amend an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees, prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Section 11 amended.

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

Age and ability of drivers.

11. The Commissioner of Motor Vehicles shall be authorized, and full power and authority are hereby given to him to license at his discretion and upon payment of the lawful fee, any proper person of the age of eighteen years or over to be a motor vehicle driver, said commissioner or his agent

having first examined said person and being satisfied of his ability as an operator, which examination shall include a test of the knowledge on the part of the said person of such portions of the mechanism of motor vehicles as is necessary, in order to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant, and the said applicant having demonstrated his ability to operate a vehicle of the class designated; *provided,* that it shall be lawful for the Commissioner of Motor Vehicles to grant licenses to persons between the ages of sixteen and eighteen years, who by reason of their exceptional ability the commissioner deems proper to be licensed, such persons to be licensed only by the Commissioner after a personal examination held under his immediate supervision; and the said Commissioner of Motor Vehicles may, in his discretion, refuse to grant a license to drive motor vehicles to any person who shall, in the estimation of said commissioner, be an improper person to be granted such a license; and the said commissioner shall have power to grant a registration certificate to the owner of any motor vehicle, application for registration having properly been made and the fee therefor paid, and the vehicle being of a type that complies with the requirements of this act. But it shall be lawful for the Commissioner of Motor Vehicles to refuse registration to any vehicle that, in his estimation, is not a proper vehicle to be used upon public roads and highways of this State.

Proviso.

Right to grant or refuse registration.

2. Section ten of the act to which this is an amendment shall be and the same is hereby amended so as to read as follows:

Section 10 amended.

10. The Commissioner of Motor Vehicles shall be authorized, and full power and authority are hereby given to him, to designate the chief of police and the lawful deputy of said chief of police of any municipality in this State, or any other proper person, to be the agent of the said Commissioner of Motor Vehicles, for the registering of motor

Agents.

vehicles and issuing registration certificates, and for the examining of applicants for licenses to drive motor vehicles, and the granting of licenses to said applicants, subject to the requirements of this act and to such rules and regulations as shall be imposed by the commissioner; and any chief of police and deputy who may be so designated are hereby authorized and required to act according and until the said authority so to act is revoked by the said commissioner. The fee allowed such agent for registration certificate so issued by him and for every license so granted by him, shall be fixed by the Commissioner of Motor Vehicles, the same to be retained from the registration fee or the license fee paid to him; *provided, however,* that every registration certificate and every license certificate to drive motor vehicles may be suspended or revoked by the said Commissioner of Motor Vehicles for a violation of any of the provisions of this act, or on other reasonable grounds, after due notice in writing of such proposed suspension or revocation and the ground thereof, and if a driver of motor vehicles shall have had his license suspended or revoked, a new license granted to him within one year thereafter shall be void and of no effect unless it shall be granted by the said Commissioner of Motor Vehicles in person; and if the registration or registration certificate shall have been suspended or revoked, a new registration made, or new registration certificate issued within one year thereafter shall be void and of no effect unless the new registration shall be made and the new certificate issued under the personal direction of the Commissioner of Motor Vehicles.

Agents' fees.

Proviso.

Renewal of license or registration after revocation

3. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 334.

An Act to amend a supplement to an act entitled "A supplement to an act entitled 'An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations,' approved April twelfth, one thousand nine hundred and six," which amendment was approved April twenty-seventh, one thousand nine hundred and eleven.

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

1. Section one of the act which is an amendment be and the same is hereby amended so that it shall read as follows: Section 1 amended.

1. For registration purposes the horse power of an automobile shall be computed by the formula adopted by the Commissioner of Motor Vehicles on December first of each year, which rating shall govern in determining the class to which such automobile belongs. The Commissioner of Motor Vehicles on December first of each year may compel all dealers, manufacturers, or other persons holding automobiles to provide with each sale a certificate which will indicate the various elements which are comprised in the formula adopted by the said commissioner under the provisions of this amendment. *Provided*, the Commissioner of Motor Vehicles shall adopt no formula which is not Horse power rating. Proviso.

in general use by the standard trade associations of the United States as a basis of catalogue rating.

In effect. 2. This act shall take effect December first, one thousand nine hundred and thirteen.

Approved April 14, 1913.

CHAPTER 335.

A Supplement to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Summoning witnesses. 1. The Commissioner of Motor Vehicles shall have power to summon witnesses to appear before him at his office, or at such other place as may be designated by the said commissioner, to give testimony in any hearing which the said commissioner may hold looking toward a revocation of any license issued by or under the authority of the said commissioner. Such summons shall be served at least five days before the return date. Service may be made by registered mail or by personal service. Whenever it shall appear that any person has failed to obey such summons, he shall be subject to a penalty not exceeding one hundred dollars, to be recovered with costs in an action of debt, to be prosecuted by the Attorney-General of

Service.

Penalty.

the State. The fees for witnesses required to attend before the commissioner shall be one dollar for each day's attendance and three cents for every mile of travel by the nearest generally traveled route in going to and from the place where the attendance of the witness is required; such fees to be paid when the witness is excused from further attendance, and the disbursements made from payment of such fees to be audited and paid in the same manner provided for expenses of the Department of Motor Vehicles.

Witness fees.

When fees paid.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 336.

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

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

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

Section 1 amended.

1. Any lessee or tenant at will or at sufferance or for a part of a year, or for one or more years, of any houses, lands or tenements, and the assigns,

Removal of tenants.

under-tenants or legal representatives of such tenant or lessee, may be removed from such premises by any district court in the county where such premises are situated or by any justice of the peace of the county where such premises are situated in the manner hereinafter prescribed in the following cases:

Service of notice of removal.

I. Where any such person shall hold over and continue in possession of the demised premises, or any part thereof, after the expiration of his or her term, and after demand made and notice in writing given for delivering the possession thereof, by the landlord or his agent for that purpose, which notice shall be served either personally upon the tenant or such person in possession by giving him a copy thereof, or by leaving a copy thereof at his usual place of abode, with some member of his family above the age of fourteen years; or where for any reason such service cannot be had, then the same may be served by affixing a copy of such notice to the door of any dwelling, or such demised premises occupied by such tenant.

Filing of claim in district court.

2. Any landlord or lessor, his legal representatives, agents or assigns, may make oath in writing to the facts which, according to the preceding section, authorize such proceedings against a tenant and describing therein the premises claimed, and if proceedings are begun under subdivision II of section one of this act, then said oath shall state the amount of rent claimed to be in default, and may file the same with the clerk of any district court within the limits of the county in which the premises are situated, or in case the premises do not lie within a first class county, or within a city or a judicial district in which there is a district court, then with any justice of the peace of the county in which the premises are situated; and on filing such affidavit the clerk or justice of the peace with whom the same is filed shall issue a summons describing the premises, in respect of which such proceeding is had, and requiring such tenant or any person in possession of said premises

When with justice of peace.

Summons.

or claiming the possession thereof, forthwith to remove from or surrender the same, or to show cause before the court, if issued by the clerk of a district court, or before the justice of the peace, if issued by a justice of the peace, at a certain place and time to be therein specified, not less than five nor more than fifteen days from the date of such summons, why possession of such premises should not be delivered to such claimant, which summons if issued from such district court shall be served in the same manner as other writs of summons issued out of said court, and if issued by a justice of the peace then in the manner prescribed in the act constituting courts for the trial of small causes, and either party may demand and have a trial by a jury of twelve men; *provided*, that if proceedings shall be instituted under the provision of subdivision II of the preceding section, then if the tenant or person in possession of the demised premises shall at any time before the time of appearance specified in said summons pay to the clerk of the court out of which said summons was issued, or to the justice of the peace by whom such summons was issued, the rent claimed to be in default by the oath filed with said clerk or justice of the peace, together with the accrued cost of the proceedings, all proceedings shall be stopped and the receipt of said clerk or justice of the peace shall be evidence of such payment and the said clerk or justice of the peace shall forthwith pay all moneys so received to the landlord or to the person making oath for him. Proviso.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 337.

An act to confer on the Commissioner of Motor Vehicles all the powers of a justice of the peace, recorder, or police judge, under an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees, prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violation," approved April twelfth, one thousand nine hundred and six, and the several supplements thereto and act amendatory thereof.

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

Judicial powers of commissioner.

1. The Commissioner of Motor Vehicles is hereby vested with all the powers of a justice of the peace, recorder, or police judge conferred in an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six, and the several supplements thereto and acts amendatory thereof.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 338.

A Supplement to an act entitled "An act defining motor vehicles and providing for the registration of the same and the licensing of the drivers thereof; fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and the service thereof and proceedings for the violation of the provisions of the act and penalties for said violations," approved April twelfth, one thousand nine hundred and six.

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

Records indexed.

1. It shall be the duty of the Commissioner of Motor Vehicles to cause all applications for registration and drivers' licenses to be alphabetically indexed, and any such original application or any copy thereof certified to be a true copy under the hand of the said Commissioner of Motor Vehicles shall be received as evidence in any court of this State to prove the facts contained therein.

Copy in evidence.

2. This act to take effect immediately.

Approved April 14, 1913.

CHAPTER 339.

An Act to amend chapter 158 of the laws of 1902, entitled "An act respecting the Court of Chancery (Revision of 1902)," approved April third, one thousand nine hundred and two.

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

Section 5 amended.

1. Section five of the act entitled "An act respecting the Court of Chancery (Revision of 1902)," approved April third, one thousand nine hundred and two, be and the same is hereby amended to read as follows:

Officer to serve process or subpoena.

5. Every subpœna or process for appearance shall be served by the sheriff or other officer authorized to serve writs of summons and other common law processes, on the person to whom it is directed, by giving to him personally a copy or leaving a copy thereof at his dwelling-house or usual place of abode, at least five days prior to its return, and it shall be the duty of the sheriff or other officer, as the case may require, of any county in this State, to whom any subpœna, order, attachment, process of sequestration, writ of execution or other process issuing out of the Court of Chancery, shall be directed or delivered, to serve or execute the same, and to make return thereof at the time and place therein mentioned, which shall be filed by the clerk.

Section 20 amended.

2. Section twenty of said act be and the same hereby is amended so as to read as follows:

When plea or demurrer to be filed.

20. When a subpœna to answer shall have been returned duly served by the proper officer, or the appearance of the defendant shall have been signed, or service of a subpœna acknowledged, as hereinbefore mentioned, the defendant shall file his

plea or demurrer to the bill of complaint within twenty days from the return day of the subpœna, unless further time be granted and the cause, within ten days thereafter, shall be noticed and set down for argument for the next term, by the party demurring or pleading; the answer to any bill in chancery shall be filed within twenty days from the return day of the subpœna, in case no plea or demurrer be filed, unless further time be granted.

Section 25 amended.

3. Section twenty-five of said act be and the same hereby is amended so as to read as follows:

When exception or replication filed.

25. The complainant shall file exceptions or a replication, or set down a cause for hearing upon bill and answer within twenty days after the expiration of the time limited or granted for filing the answer, or on failure thereof his bill shall be dismissed with costs, unless good cause be shown to the contrary; on filing a replication the cause shall be deemed to be at issue.

4. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 340.

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

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

School for dependent and delinquent children.

1. The board of education of any school district in this State may establish and maintain a special school of instruction for the purpose of restraining, instructing and caring for dependent and delinquent children under sixteen years of

age, committed to said school by any court for the trial of juvenile offenders. A special school of instruction shall be deemed to be a part of the public school system of the school district in or by which it has been established.

Children committed to school.

2. Such special school shall receive, restrain and instruct dependent and delinquent children, and children, under the age of sixteen years, who shall be habitual truants, or habitually insubordinate, incorrigible or disorderly during their attendance at school, committed to such school by any court for the trial of juvenile offenders. If in the judgment of said court the best interests of a child demanded that such special school should have the entire charge and control of such child, said court may take the custody of such child from its parents or guardian and give it, for an indeterminate period, to the board of education having control of such special school. When in the judgment of said board the conduct of such child has so improved that it should be permitted to attend the regular public schools, it may return such child to the custody of its parents or guardian. Any child, under the age of sixteen years, arrested for any cause except murder or manslaughter, and pupils habitually truant or incorrigible, may, by order of the court for the trial of juvenile offenders, be held in said school until final judgment.

Taken from custody of parents.

Return to parents.

Retention of children.

Character of training.

3. A special school of instruction shall be conducted for the well being and safe custody of children committed thereto, and for their training and education for good citizenship and self-support. There shall be ample ground for farming and gardening, and shops and other means for industrial training shall be provided. The school shall, as far as possible, be conducted as a home. There shall be a superintendent and such teachers and other employees as may be necessary for the proper conduct of the school. The superintendent shall reside in the school. Teachers in such schools shall be required to hold such certificates to teach as are required by teachers in the public schools.

Teachers.

May be placed in other schools.

4. Children who are dependent and delinquent, or who are habitually truant or incorrigible, or who shall be found by the court to require special instruction, and who reside in a school district in which there is no special school of instruction may, in the manner prescribed in the second section of this act be committed to a special school of instruction maintained in another district. The board of education of the district in which any such child shall reside and the board of education of the district maintaining the school to which such child shall be committed shall determine the amount to be paid for the education and maintenance of such child, and the board of education of the school district in which such child resides shall issue an order, which order shall be payable from any funds available for current expenses, for said amount in favor of the custodian of school moneys of the school district maintaining the school to which such child shall have been committed. If said board cannot agree as to the proper amount to be paid for the education and maintenance of said child, said amount shall be determined by the State Board of Education.

Amount of payment determined.

Family conditions ascertained.

5. Whenever a person shall be committed to said school the judge making the adjudication shall make inquiry into the family conditions and circumstances surrounding the delinquent; if, in his opinion, the parents of such delinquent are of sufficient ability to maintain him, the judge may include in the order of commitment an order requiring the parents of such delinquent to pay the board of education of the district such sum toward the support, maintenance and clothing of such delinquent, as in the discretion of said judge may be proper. The order for such payment may be enforced by attachment as for a contempt of the said court.

Annual report.

6. At the end of each school year a special report for each special school of instruction shall be made to the State Board of Education in the manner and form prescribed by it.

Report to court.

7. The superintendent of any special school of instruction shall, at any time, when required so to do, present to the court for the trial of juvenile offenders, a report concerning the conduct and maintenance of such school and the number of pupils therein and such other information as the court shall demand.

Moneys available.

8. Any moneys available for the current expenses of the public schools in a district in which a special school of instruction has been established may be used for the current expenses of such school.

Funds for buildings, etc.

9. Moneys for the purchase of land, the erection of buildings, the enlarging or repairing of buildings, and the purchase of furniture and other necessary equipment for special schools of instruction, shall be appropriated in the same manner as moneys are now appropriated for the erection and furnishing of schoolhouses.

Rules and courses of study.

10. Rules for the government and management of a special school of instruction, and the course or courses of study to be pursued therein shall be prescribed by the board of education of the school district in which such school shall be established. Said rules and courses of study, and any change therein, shall be submitted to the State Board of Education for approval.

Location of school.

11. If, in the judgment of the board of education, it will best serve the purposes of the special school of instruction, said board may purchase land and locate such school outside the school district.

Approval necessary.

12. A special school of instruction shall not be established, nor its location determined without the approval of the State Board of Education.

Proviso.

13. This act shall take effect immediately. *Provided,* that nothing in this act shall be construed to alter, amend, change or diminish any existing powers of juvenile courts under the act to which this act is a supplement, or any other act, or to

commit any child under sixteen years of age to any school or house of detention or other institution, or otherwise.

Approved April 14, 1913.

CHAPTER 341.

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

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

Sum derived from tax on railroads devoted to schools.

1. The tax assessed in each year by virtue of the provisions of subdivisions one, three and four of section three of 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 the amendments thereof and supplements thereto, after deducting therefrom a sum equal to one-half of one per centum of the total valuation of the property on which said tax has been or shall be assessed and such other sum or sums as said Comptroller had been or hereafter shall be directed to deduct therefrom by any law of this State, shall be devoted to the maintenance and support of a thorough and efficient system of free public schools, and shall be apportioned annually, on or before the first day of March, among the several counties by the State Comptroller in proportion to the amount of taxable property, real and personal, of said counties, respectively, as shown by the last abstract of ratables from the

Apportionment.

several counties made out by the several boards of assessors and filed in the office of said Comptroller. On the first day of September next succeeding any such apportionment, the State Comptroller shall draw his warrant on the State Treasurer, in favor of the county collector of each county for the portion of said moneys then in the hands of the State Treasurer to which said county shall be entitled under the provisions of this act; and thereafter, in the event that any money shall be received into the treasury of this State for the purpose of payment under the provisions of this act, and such sum shall be not less than ten thousand dollars, the same shall be distributed among the several counties in the same manner as other moneys are distributed under the provisions of this act. The money apportioned to any county by virtue of the provisions of this act, shall be apportioned by the county superintendent of schools of such county among the several school districts therein at the same time and in the same manner as other moneys shall be apportioned by him. If in any year after the distribution of said tax among the several counties as is herein provided, the amount of said tax shall be reduced by order of any court of this State, and by reason of such reduction there shall have been paid from the treasury of this State a sum in excess of the amount finally determined as available for such distribution during such year, the Comptroller of the Treasury and the State Treasurer, their respective heirs, executors administrators and assigns and the bond or bonds given by said Comptroller and Treasurer for the faithful performance of their duties shall not be held liable for any sum paid from the treasury of this State under the provisions of this act in excess of the amount finally determined as aforesaid, but said Comptroller, prior to making the then next annual apportionment as provided in this section shall deduct from the amount to

Payments to counties.

Further distributions.

Moneys apportioned by county superintendents.

Release of comptroller and treasurer from liability.

be apportioned the sum paid from the treasury of this State in excess of the amount which was finally determined as available for distribution under the provisions of this act, and the sum so deducted shall become a part of the general moneys of the State treasury.

In case railroad sues out writ of certiorari.

2. In case any railroad company shall sue out a writ of certiorari to review any tax paid into the treasury of this State, a portion of which shall constitute the fund to be distributed in accordance with the provisions of this act, the amount of such taxes so sought to be reviewed by certiorari shall not be distributed as directed in this act, but shall be retained in the treasury of this State, unless the railroad company so paying shall deliver to the State Treasurer a certificate setting forth the amount which the said railroad company concedes to be due to the State of New Jersey, in which event the sum so conceded to be due to the State of New Jersey shall be included in the gross sum to be distributed as in this act provided. Such portion of the amount retained as aforesaid as shall finally be determined to be due to the State of New Jersey shall be distributed in the manner provided in section one of this act.

Taxes retained in treasury.

Repealer.

3. All acts and parts of acts, whether general, special or local, inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 342.

An Act to annex a portion of the township of Hanover, in the county of Morris, to the borough of Florham Park, in the county of Morris.

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

Boundaries of part of Hanover Township annexed to Florham Park.

1. All that portion of the township of Hanover, in the county of Morris, beginning in the boundary line between the borough of Florham Park and the township of Hanover in the center of the road leading from Florham Park to Whippany in the line of land of the estate of G. W. Feich, deceased; and running thence (1) northerly along the center line of said road a distance of sixteen hundred and sixty-five feet to a point in said center line; thence (2) southeasterly to a point in the middle of the Passaic river, said point being at the eastern extremity of the boundary line between the borough of Florham Park and the township of Hanover, being the seventh corner of the borough of Florham Park as described in the act to incorporate said borough, approved March ninth, one thousand eight hundred and ninety-nine; thence (3) in a westerly direction along said boundary line between the borough of Florham Park and the township of Hanover to the point or place of beginning, is hereby set off from the said township of Hanover and annexed to and made a part of the borough of Florham Park.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 343.

An Act to repeal sections one hundred and fifty-three, one hundred and fifty-four, one hundred and fifty-five, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-one, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-four and one hundred and sixty-five of an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support and management thereof," approved October nineteenth, one thousand nine hundred and three.

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

Sundry sections repealed.

1. Sections one hundred and fifty-three, one hundred and fifty-four, one hundred and fifty-five, one hundred and fifty-six, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-one, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-four and one hundred and sixty-five be and the same are hereby repealed.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 344.

An Act to amend an act entitled "A supplement to an act entitled 'A general act relating to boroughs (Revision of 1897),'" which supplement was approved May thirteenth, one thousand nine hundred and seven.

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

Vacating streets.

1. The council of any borough shall have power and authority, in addition to the powers heretofore conferred upon it, by ordinance, to vacate any street, avenue or highway, or any part or section thereof, whenever a petition therefor, in writing, shall be presented to the council at a stated meeting thereof, signed by the owner or owners of all the land abutting upon both sides of the street, avenue or highway, or section thereof, to be vacated, which petition shall also contain a release to said borough of all rights of the signers thereof in said street, avenue or highway, or section thereof, as a public highway, and a waiver of all claims for remuneration or damages by reason of the closing of the same, or any part thereof; *provided,* that notice of such proposed action shall be given to the public at large by advertisement, signed by the borough clerk, and set up in five or more public places in the borough, of the time of the proposed action, at least thirty days next before the time so appointed, and shall likewise cause the same to be published in a newspaper published or circulating in said borough at least four weeks successively, once a week prior thereto.

Proviso.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 345.

An Act to amend an act entitled "An act to provide for the participation by the State of New Jersey in the Exposition to be held at San Francisco, in the State of California, in the year nineteen hundred and fifteen, in commemoration of the opening of the Panama Canal," approved February twenty-ninth, nineteen hundred and twelve.

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

Section 5 amended.

1. Paragraph five of the act referred to in the title of this act is hereby amended to read as follows:

Appropriation.

5. To carry out the provisions of this act the sum of two hundred thousand dollars is hereby appropriated, when included, in whole or in part, in any annual or supplemental appropriation bill.

Unexpended portion.

Any amount appropriated for the purposes of the act to which this act is an amendment and not expended within the fiscal year for which it may be appropriated shall be added to the total available appropriation for the purposes specified in this act.

Repealer.

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

Approved April 14, 1913.

CHAPTER 346.

AN ACT to provide for and authorize the establishment of courts to be known as "The Recorder's Court for the Trial of Small Causes" in certain townships and boroughs of this State.

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

Appointment of recorder.

1. In any township or borough in any county of this State, other than counties of the first class, having a population of more than four thousand inhabitants, as shown by the latest State census, and forming a part of and located in any county of this State in which one or more district courts are established, the Governor shall, upon application of the mayor and council of such borough or the township committee of such township in the form of a resolution adopted by the mayor and council or township committee and certified to by the clerk of such governing body, as the case may be, appoint some fit person, who must be an attorney-at-law residing in said township or borough, who shall be known and designated as recorder, who shall hold office for three years and whose compensation shall be fixed and determined by the township committee or the mayor and council of the municipality for which he is appointed, which compensation shall not exceed five hundred dollars per annum and shall be in lieu of all fees; all fees collected by such recorder shall be accounted for to the township committee or the mayor and council of the borough, said recorder to make quarterly report setting forth all fees and costs collected by him, and submit the same to the mayor and council or the township committee quarterly and with such report the said recorder shall pay

Term and pay.

Fees.

Quarterly returns.

to the treasurer of the township or the collector of the borough, as the case may be, all fees and costs collected and received by him.

Matters cognizable.

2. Every suit of a civil nature at law, where the matter in dispute does not exceed, exclusive of costs, the sum of one hundred dollars, shall be cognizable before such recorder who shall constitute and be known as "The Recorder's Court for the Trial of Small Causes," to hear, try and determine the same, according to law, although the cause of action did not arise in said township or borough, which court shall be a court of record and vested for the purposes mentioned in this act with all such power as is usual in courts of record of this State; *provided,* this act shall not extend to any action of replevin, slander, trespass for assault, battery and imprisonment, nor to any action wherein the title to lands shall come in question; *provided, further,* except in attachment suits, the said court shall not have jurisdiction over any suit or proceeding of a civil nature where the defendant does not reside in the township or borough wherein said "The Recorder's Court for the Trial of Small Causes" is established.

Legal name.

Proviso.

Proviso.

Jurisdiction.

3. Such recorder shall have the same jurisdiction, power and authority in criminal matters, cases of bastardy, relief, removal, and settlement of the poor, breaches of the peace, vagrancy, and disorderly conduct as is by law conferred upon justices of the peace.

Extent of authority.

4. Such recorder shall be authorized and empowered to hear, try and determine, according to law, all suits and actions which may be brought for the recovery of any penalty or penalties prescribed for the violation of any by-law or by-laws, ordinance or ordinances of such township or borough, also to hear, try and determine, according to law, all offenses charged before him, by complaint in writing on oath or affirmation, to have been committed in violation of any such by-law or by-laws, ordinance or ordinances, for which the punishment is by fine or imprisonment.

Procedure in all actions, etc.

5. All suits, actions and proceedings before any such recorder or court under the provisions of this act and all appeals therefrom, shall, as nearly as may be, be regulated by the provisions of and conducted in the manner prescribed in and by the several acts of the legislature of this State, in and by which the like suits, actions and proceedings before justices of the peace are or shall be regulated and by the act of the Legislature of this State entitled "An act constituting courts for the trial of small causes." and the several supplements thereto, as said acts and supplements are and from time to time shall be in force; *provided however,* that if the parties to any suit of a civil nature at law in any recorder's court fail to demand trial by jury in cases where such demand is necessary, and to elect to permit questions of fact to be determined by the recorder, then such determination of the recorder, or in cases where there is a jury, then the verdict of a jury, and any judgment thereunder shall be final and conclusive between the parties upon questions of fact, and either party may appeal only on question of law and the legality of the admission or rejection of evidence.

Proviso.

Repealer.

6. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

7. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 347.

An Act to repeal section twelve of an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

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

Section 12 repealed.

1. Section twelve of "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven, be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 348.

An Act to provide for a supplemental digest of the law and equity reports of this State.

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

Supplemental volume.

1. The publishers of the "New Jersey Digest Annotated," which was issued in the year nineteen hundred and eight, are hereby authorized to have prepared and published a supplemental volume thereto, digesting the decisions of the law and equity reports from the year nineteen hundred and seven to date, said supplement to be on the same plan of classification and printed in the same style as the original set, and to be approved by the Chancellor and Chief Justice.

Approval.

Delivery and price per volume.

2. Upon the delivery to the State House Custodian of five hundred copies of said supplemental columes, bound in American law buckram, the delivery to be not later than the month of June, in the year nineteen hundred and fourteen, the State Treasurer, upon proper warrant of the State Comptroller, is hereby authorized and directed to pay seven dollars and a half per copy.

Distribution.

2. Said copies shall be distributed in the same manner as the law and equity reports are now required to be distributed, and one copy to each member of the present Legislature.

4. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 349.

An Act to amend an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen."

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

Section 72 amended.

1. That section seventy-two of an act making appropriation for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen, chapter three hundred and seventy-six, laws of one thousand nine hundred and twelve, paragraph fourteen, which now reads as follows: "For purchase of additional land and buildings thereon pursuant to chapter ninety-three, laws of one thousand nine hundred and five, thirty thousand dollars," be and the same is hereby amended to read as follows:

Amended reading.

"For the acquiring of additional land and buildings thereon pursuant to chapter ninety-three, laws

of one thousand nine hundred and five, thirty thousand dollars."

2. All acts and parts of acts not consistent herewith are hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 350.

An Act constituting a board of parole and authorizing and regulating the parole of inmates of the New Jersey State Prison.

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

1. Every prisoner who has been, or may hereafter be, convicted of any offense against the State of New Jersey, and is confined in execution of the Judgment of such conviction in the New Jersey State Prison, for a definite term or terms of over one year, or for the term of his natural life, whose record of conduct shows that he has observed the rules of such institution, and who, if sentenced for a definite term, has served one-third of the total of such term or terms for which he was sentenced, or, if sentenced for the term of his natural life, has served not less than fifteen years, may be released on parole as herein provided. Terms preceding release on parole.

2. The principal keeper, the resident physician and the moral instructor appointed by the Governor shall constitute a board of parole, which shall establish rules and regulations for its procedure, subject to the approval of the Attorney-General of the State of New Jersey. The chief clerk of the said prison shall be the clerk of the said board of parole, and meetings shall be held at the said prison as often as the regulations of said board shall provide. Board of parole. Clerk.

Granting paroles.

3. If it shall appear to the said board of parole from a report by the proper officers of such prison or upon the application of a prisoner for a release on parole that there is a reasonable probability that such applicant will live and remain at liberty without violating the laws, and if, in the opinion of the board, such release is not incompatible with the welfare of society, then said board of parole, in its discretion, may authorize the release of such applicant upon parole, and he shall be allowed to go outside of the said prison, and, in the discretion of the said board, to return to his home, upon such terms and conditions, including personal reports of such paroled person, as said board of parole shall prescribe, and to remain while on parole in the legal custody and under the control of the principal keeper of the said prison, and until the expiration of the term or terms specified in his sentence, less such good time as is now by law allowed; *provided*, that no release on parole shall become operative until the findings of the board of parole under the terms hereof shall have been approved by the Governor of the State of New Jersey.

Terms of release.

Proviso.

Return of prisoner violating parole.

4. If the principal keeper of the said prison, or said board of parole, or any member thereof, shall have reliable information that the prisoner has violated his parole, then said principal keeper, at any time within the term or terms of the prisoner's sentence, may issue his warrant to any officer hereinafter authorized to execute the same for the retaking of such prisoner.

Officer authorized to return prisoner.

5. Any officer of said prison, or any other officer duly authorized to serve criminal process in this State, to whom such warrant shall be delivered, is authorized and required to execute such warrant by taking such prisoner and returning him to said prison within the time specified in said warrant therefor. All necessary expenses incurred in the administration of this act shall be paid out of the appropriation for the prison, and such appropriation is hereby made available therefor.

Hearing before board of parole.

6. At the next meeting of the board of parole held at the said prison after the issuing of a warrant for the retaking of any paroled prisoner, said board of parole shall be notified thereof, and if said prisoner shall have been returned to the said prison, he shall be given an opportunity to appear before the said board of parole, and the said board may then, or at any time, in its discretion, revoke the order and terminate such parole or modify the terms and conditions thereof. If such order of parole shall be revoked, and the parole so terminated, the said prisoner shall serve the remainder of the sentence originally imposed; and the time the prisoner was out on parole shall not be taken into account to diminish the time for which he was sentenced.

Service if parole revoked.

Certain gratuities furnished paroled prisoners.

7. It shall be the duty of the principal keeper of the prison to furnish to any and all paroled prisoners gratuities, consisting of clothing, transportation, and five dollars in money; the transportation furnished shall be to the place to which the paroled prisoner has elected to go, with the approval of the board of parole. The principal keeper of the prison who furnishes these gratuities is hereby authorized to charge the actual cost of the same to the prison appropriation hereby made available therefor; *provided, however,* that when any such paroled prisoner shall have received his final discharge, while he is away from the prison, he shall be entitled to no further gratuities provided for discharged prisoners under existing law.

Proviso.

Powers of court of pardons not impaired.

8. Nothing herein contained shall be construed to impair the powers of the Court of Pardons of the State of New Jersey to grant a pardon or commutation in any case, or in any way impair or revoke their present powers.

Repealer.

9. All acts and parts of acts inconsistent with this act be and the same is hereby repealed.

10. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 351.

An Act extending the time for the completion of certain water works, pipes, mains and conduits.

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

Time for completing extended.

1. Whenever the time limited for the completion of any water works, or of any pipes, mains or conduits for supplying water, authorized to be constructed within this State under any general act, has expired since the first day of January, one thousand nine hundred and thirteen, or shall expire hereafter, and before the thirty-first day of December, one thousand nine hundred and thirteen, such time shall be and the same is hereby extended for the further period of one year from the passage of this act; *provided, however,* that this act shall not apply unless money has actually been expended in surveys or location of the route of such pipes, mains or conduits, and in the acquisition of right of way for the same, or in actual construction since January first, one thousand nine hundred and six; *and provided further,* that this act shall not apply to any corporation unless such corporation shall first, and as a condition precedent to the exercise of any power granted by this act, file within thirty days after the approval of this act, in the office of the Secretary of State, a certificate signed by the president and secretary of such corporation accepting the provisions of this act, which shall include an agreement waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law now in existence or that may be hereafter

Proviso.

Proviso.

Waiver.

Further agreements.

passed, taxing such corporations as are now authorized to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing further that all laws affecting such corporations shall be subject to alteration or repeal by the Legislature.

Effect of act.

2. Nothing in this act contained shall in anywise affect, alter or repeal an act entitled "An act to establish a State Water-Supply Commission and to define its powers and duties and the conditions under which waters of this State may be diverted," approved June seventeenth, one thousand nine hundred and seven, nor relieve any such corporation from the terms, provisions or requirements of the said act.

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

Approved April 14, 1913.

CHAPTER 352.

An Act to create a new township in the county of Morris to be called the township of Denville, in the county of Morris.

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

Boundaries of part of Township of Rockaway set off as Township of Denville.

1. All that part of the present township of Rockaway, in the county of Morris, lying within the boundaries next hereinafter mentioned, that is to say: Beginning at the most southerly corner of the said township of Rockaway, being also corner of the township of Morris, Hanover and Randolph on the top of Trowbridge mountain, and running

thence northerly along the line dividing said township of Rockaway from the township of Randolph in said county to the point where the said line intersects the center line of the road leading from Dover to Franklin, near the mouth of Dell's brook; thence northerly, in a straight line to the corner in the boundary line of the borough of Rockaway where the center of the Morris and Essex railroad intersects the center of the public road leading from Franklin to Rockaway; thence along the line of said borough of Rockaway (being the center line of said railroad track), northeasterly nineteen hundred and eighty feet to a point in the center of said railroad track being another corner of said borough of Rockaway; thence along another line of the said borough easterly two thousand nine hundred and seventy feet to another corner of the same; thence along another line of the same northerly three hundred and ninety-six feet to another corner of the same in the center of the overhead bridge spanning the Morris and Essex railroad in the road leading from Denville to Rockaway; thence in another line of said borough of Rockaway northwesterly four thousand one hundred and thirty-eight feet to another corner of the same where the center of the Hibernia Mine railroad intersects the center line of the road leading from Rockaway to the former residence of J. Ford Kitchel; thence along the center line of said road northeasterly to the point where the same intersects the middle of Beaver brook; thence northerly along the middle of Beaver brook to the point where the same intersects the center line of the road leading from Beach Glen to Rockaway Valley; thence along the center line of said road in an easterly direction to the point where the same is intersected by the westerly line of now, or formerly, the Rockaway Valley school district number eighteen; thence running in a general southwesterly direction and along the westerly, northwesterly and southerly lines of said school district to the

intersection of the southwesterly line of said school district with the line dividing the township of Hanover from the township of Rockaway; thence southwesterly along said line to the point or place of beginning, is hereby set off from the said township of Rockaway, and shall from and after the passage of this act, constitute and be known as "The Township of Denville, in the County of Morris"; and the inhabitants of the said township of Denville are hereby constituted a body politic and corporate and shall be governed by the same general laws as other townships in said county of Morris.

Corporate name.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 353.

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

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

1. Amend section twenty-two of the act to which this act is an amendment so that it shall read as follows:

Section 22 amended.

22. The Commissioner of Education shall, by and with the advice and consent of the State Board of Education, appoint for each county a suitable person to be the county superintendent of schools of the county who shall hold office for the term of three years from the date of his appointment and until his successor shall have been appointed as aforesaid, unless sooner removed for cause. Each county superintendent hereafter appointed

County superintendent.

Term.

Conditions.

shall devote his entire time to the duties of his office. No person shall be appointed as county superintendent of schools unless he shall hold the highest teacher's certificate issued in this State and shall have been a resident of the State for at least three years immediately preceding his appointment.

23. The yearly salary of a county superintendent of schools (hereafter appointed) shall be three thousand dollars. Such salary shall be paid in equal monthly installments, and the State Comptroller shall, on the order of the Commissioner of Education, draw his warrant for such salary on the State Treasurer in favor of such county superintendent of schools.

Effective. Salary.

3. This act shall take effect on the first day of October, one thousand nine hundred and thirteen.

Approved April 14, 1913.

CHAPTER 354.

An Act for the retirement of any person who has served continuously as sergeant-at-arms of the Court of Chancery of this State for the period of twenty-five years or over, and for the payment of a pension to such person on such retirement.

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

Retirement on pension.

1. Any person who shall have served continuously as sergeant-at-arms of the Court of Chancery of this State for the period of twenty-five years or over, may, with the consent of the Chancellor, on his own application or for disability, be retired from such position or employment and shall thereafter be entitled to receive a monthly pension from the State equal to one-half of the amount of compensation paid to said person at the time

of his retirement, and said pension shall be paid monthly by the Treasurer of the State on the warrant of the Comptroller, after the filing in his office of a certificate by the Chancellor stating that such person had retired. Payable.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 355.

A Further Supplement to an act entitled "A supplement to an act entitled 'An act regulating the receipt and disbursement of State moneys in certain cases,' approved October thirty-first, one thousand nine hundred and seven," approved March thirtieth, one thousand nine hundred and ten.

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

1. Any board or institution of this State receiving from the State for its maintenance an annual appropriation of State funds, for which there has been established a petty cash expense fund, under the provisions of the act to which this act is a supplement, is hereby authorized to use such petty cash fund for the purposes of paying the traveling expenses of any inmate of such an institution, when paroled, to the place of his employment, and to defray the expenses of the parole officer or other agent of such institution in traveling to and from the place where any paroled inmate of such institution, who has violated his parole, may be found, in order to bring about his return to the said institution, as well as the payment of expenses incurred in the same manner to secure the return of an escaped inmate. Use of petty cash fund.

Repealer.

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

Approved April 14, 1913.

CHAPTER 356.

An Act to repeal an act 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 supplement was approved April fifth, one thousand nine hundred and five.

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

Act repealed.

1. An act 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 supplement was approved April fifth, one thousand nine hundred and five, be and the same hereby is repealed.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 357.

A Supplement to an act entitled "An act to promote the establishment and efficiency of free public libraries," approved March twentieth, one thousand nine hundred.

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

Commissioner of education a member of library commission.

1. The Commissioner of Education shall be a member of the Public Library Commission, constituted by section one of the act to which this

act is a supplement, in addition to the persons appointed as provided in said section.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 358.

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.

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

1. It shall be lawful for the council to enter into and make a contract with any person or corporation for a term not exceeding five years, for the removal of garbage, refuse and rubbish. Contract for removing refuse.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 359.

An Act to annex a portion of the township of Pittsgrove, in the county of Salem, to the township of Upper Pittsgrove.

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

1. All that portion of the township of Pittsgrove, in the county of Salem, described as follows: Beginning at a point in the center of Maple bridge, also centre of road leading from Elmer to Malaga, thence in an easterly direction down the centre of the Malaga road to the intersection of the Gloucester county line, thence in a westerly direction along the Gloucester county line, to a Boundaries of part of Pittsgrove annexed to Upper Pittsgrove.

corner of Upper Pittsgrove township, Salem county, in the Gloucester county line, thence in a southerly direction along Upper Pittsgrove township to a corner in the Elmer borough line, thence in an easterly direction along the Elmer borough line to the place of beginning, be and the same is hereby set off from said township of Pittsgrove, in said county of Salem, and annexed to and made a part of the township of Upper Pittsgrove in said county.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 360.

An Act authorizing sergeants of police or other police officer in charge of any police station or precinct in any first or second class city to take recognizances of bail from any person confined in such station or precinct charged with having committed a misdemeanor, or any offense against the vice and immorality act or the provisions of an act concerning disorderly persons.

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

Sergeants of police authorized to take bail.

1. Any person arrested and charged with any crime classified as a misdemeanor, or with any offense against the vice and immorality act, or the provisions of an act concerning disorderly persons, who may be in the custody of the police of any first or second class city of this State, may be admitted to bail by the sergeant of police or other police officer of such municipality in charge of the police station or precinct to which such person so charged shall be taken or confined for appearance before the police magistrate of any such city at the then next regular sitting of such magistrate, taking the recognizance of such person, with surety or sureties in such reasonable sum as said ser-

geant of police or other police officer may deem fit, and all such sergeants of police, or other police officer having charge of any police station or precinct are hereby authorized to take such recognizances of bail, and to forward the same to the police magistrate of any such municipality before the time of appearance therein mentioned.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 361.

A Supplement to an act entitled "An act concerning public utilities, to create a board of public utility commissioners and prescribe its duties and powers," approved April twenty-first, one thousand nine hundred and eleven.

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

1. Whenever any street railway company now or hereafter operates its cars upon and through any street or highway in this State in which a bridge forms a connecting link, and it has a franchise to lay its tracks in such street on either side of such bridge, but has no legal authority to lay its tracks on such bridge or cross the same, or its right to cross such bridge is disputed, and the municipality or municipalities owning and controlling such bridge cannot agree with the street railway company as to the terms and conditions of the use of such bridge by the street railway company, then it shall be lawful for said street railway company, or the municipality or municipalities aforesaid, through its or their body or bodies having charge of its or their bridges, or any taxpayer of the municipality in which such bridge or part thereof is located, to apply to the board of public utility commissioners for a direction that said

Use of bridges by trolley companies.

In case of dispute.

Apply to utility commission.

street railway company lay its tracks, wires and appurtenances on such bridge and operate its cars thereon for the convenience of the public, and to fix the terms and conditions of the user of such bridge by said street railway company.

Hearing.

2. On the hearing of such application, and upon notice as prescribed by the act to which this a supplement, the parties in interest shall be heard by said commissioners, and if in their opinion the use of such bridge by the street railway company is a public necessity, they shall by order (a) direct said street railway company to lay its tracks, wires and appurtenances on such bridge, and to operate its cars thereon; (b) fix the period of years that said street railway company shall use such bridge as aforesaid, without further order or modification, which period of use shall be for no longer time than the period for which the company is entitled to use its tracks, on either side of such bridge, and in any event for no longer than the period limited by law for the granting of franchises, at the termination of which period so fixed all rights of said street railway company, its successors and assigns, shall cease, determine and be at an end; and (c) fix the annual compensation, if any, to be paid by the street railway company to the municipality or municipalities operating, owning or controlling such bridge.

Determination.

Company to lay tracks, etc.

3. Upon the making of the order aforesaid, said street railway company, within the time to be fixed in said order, shall lay its tracks, wires and appurtenances on such bridge and use same for public travel. Should said street railway company or the municipality or municipalities aforesaid feel aggrieved by the order of said commissioners as to compensation, said order may be reviewed in the manner provided by the act to which this is a supplement. Should the said commissioners order the street railway company to lay its tracks, wires and appurtenances on such bridge and to operate its cars thereon, but refuse for any reason to deter-

Order may be reviewed.

Fixing compensation.

mine the compensation, if any, to be paid by the street railway company to the municipality or municipalities owning such bridge for the use thereof, then jurisdiction is hereby given to the Chancellor of this State, on the petition or bill of the municipality or municipalities owning such bridge or such street railway company, by order or decree to fix and determine the compensation, if any, to be paid by the street railway company to the municipality or municipalities owning such bridge for its use thereof. But notwithstanding such proceeding to review the amount of compensation to be paid, said street railway company shall proceed to lay its tracks on such bridge and the wires and appurtenances and operate its cars thereon, pending the controversy as to the amount of compensation to be paid.

Definitions.

4. The words "municipality" and "municipalities" in this act shall be taken as meaning any county or counties, city or cities, town or towns, townships or boroughs.

5. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 362.

An Act to provide for the preservation of highways and bridges in this State.

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

Vehicles on roads and bridges.

1. No traction engine, trailer, motor or other vehicle, except those exclusively running on rails or tracks, shall be operated upon or over a highway or bridge in this State, nor shall any object be moved over or upon a highway or bridge, upon wheels, rollers or otherwise, except those exclusively running on rails or tracks, in excess of a total weight of twenty-five thousand (25,000) pounds,

Permit.

including vehicle, object or contrivance and load, without first obtaining a permit, mentioned in section three of this act, from the authority or authorities in charge of the maintenance or care of said highway or bridge; nor shall any vehicle be operated or contrivance moved upon or over said highways or bridges which has any flange, ribs, clamps or other objects attached to its wheels or made a part thereof, which will injure or destroy the surface of the highway or bridge, nor shall any such engine, vehicle, object or contrivance for moving heavy loads be operated or moved upon or over any highway or bridge the weight of which resting upon the surface of said highway or bridge exceeds eight hundred (800) pounds upon any inch in width of the tire, roller, wheel or other object supported upon the surface thereof without first obtaining said permit. The owner, driver, operator or mover of any such engine, vehicle, object or contrivance over said highway or bridge shall, unless relieved from liability in said permit, be responsible for all damages which said highway or bridge may sustain as a result of said action on his part, and the amount thereof may be recovered by the authority or authorities in charge of the maintenance or care of the highway or bridge which is injured, in an action of tort.

Wheels not to injure road or bridge.

Weight per inch on tire.

Responsibility.

Weight and speed of vehicles.

2. No steam traction engine, with or without trailers, and no motor truck carrying a weight in excess of eight thousand (8,000) pounds, including the vehicle, shall be operated upon any highway or bridge at a speed greater than twelve (12) miles an hour; and no vehicle carrying a weight in excess of twelve thousand (12,000) pounds, including the vehicle, shall be operated upon any highway or bridge at a speed greater than eight (8) miles an hour, when such vehicle is equipped with tires partly or entirely made of metal, nor greater than ten (10) miles an hour when the vehicle is equipped with tires of other material than metal,

Permits for heavy loads.

3. The State Road Commissioner, or any county or municipal officer, or county or municipal or board or body having charge of the repair and maintenance of any highway or bridge in this State, is hereby authorized, upon proper application in writing, to grant permits for the moving of heavy vehicles, loads, objects or structures over said highways and bridges, which permit, when duly granted, shall authorize such movement. Said permits may be general or may limit the time and the particular highways and bridges which may be used, and may contain any special conditions or provisions which in the opinion of the authority granting the same are necessary for the protection of said highways or bridges from injury. The authorities having charge of any such bridge are hereby authorized to make regulations limiting the speed of any of the vehicles mentioned in this act passing over said bridge to a speed not to exceed six (6) miles an hour, provided notice is conspicuously posted at each end of the bridge affected by such regulation.

Moving rate when crossing bridge.

Penalties.

4. Any person violating the provisions of this act or the regulations made or permits granted under authority thereof shall be liable to a fine of not less than ten dollars, nor more than one thousand dollars for each and every offense, and said fines shall be paid to the Commissioner of Motor Vehicles for use on State highways or bridges when State highways or bridges are injured, and into the treasury of the county or municipality when any highway or bridge is injured which is under the care of such county or municipality for use on the highways and bridges of such county or municipality in addition to any other moneys that may be available for that purpose.

Exception.

5. This act shall not apply to street railway cars operated upon tracks over such highway or bridge, and shall take effect immediately, and inconsistent acts or parts of all other acts, general or special, are hereby repealed.

Repealer.

Approved April 14, 1913.

New Jersey State Library

CHAPTER 363.

An Act to provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines, and to prohibit the use of such steam boilers and steam engines unless the person in charge thereof shall be so licensed.

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

Bureau of engineers.

1 Within sixty days after this act shall take effect the Commissioner of Labor of the State of New Jersey shall establish in the Department of Labor a bureau to be known as the Steam Engine and Boiler Operators' License Bureau, to consist

Qualification.

of three persons, citizens of the State of New Jersey, each of whom shall have been engaged for at least ten years in the occupation either as engineer in charge of a steam plant of not less than two hundred and fifty horse power, or as the inspector for a steam engine and boiler insurance company licensed to do business within the said State, and who shall also be approved by the Civil Service Commission of this State. Each of the said persons constituting said bureau shall hold office for

Term.

three years, their term of office expiring on the first day of May, excepting, however, those first appointed, one of whom shall be appointed until the first day of May then next ensuing; another until the first day of the May succeeding the term of the one first appointed; another until the first day of the May succeeding the term of the second one appointed, in order that the term of office of one of those appointed may expire on the first day of May of each year. Any vacancy occurring in the membership of the said bureau shall be filled

by the Commissioner of Labor from persons properly qualified as aforesaid for the unexpired term. Vacancy.

2. Each person appointed a member of said bureau shall, before entering upon the discharge of his duties and within thirty days after he has been appointed, take and subscribe to an oath before any officer authorized to adminster oaths in this State, for the faithful performance of his duty, which shall be filed with the said Commissioner of Labor and transmitted by him to the Secretary of State. They shall from time to time select one of their number for chairman. They may adopt all necessary rules, regulations and by-laws for their government not inconsistent with the laws of this State or of the United States, and shall prescribe rules for the examination and licensing of engineers and firemen in charge of stationary and portable steam boilers and steam engines within the State, and to prevent the use of such steam boilers and steam engines unless the person in charge shall hold such license. Such regulations shall also specify the terms and conditions under which such license shall be issued or renewed; to fix the fees charged for the issuance and renewal of such license; to provide for the revoking, for proper cause, of any license issued, all of which shall be subject to approval of the said commissioner and any of which may be revoked or annulled at any time by him. They shall rereport frim time to time to the commissioner and in such form as he shall prescribe. All licenses recommended by them shall be issued under the hand and seal of the commisioner and a record thereof kept in his office. Oath. Rules and regulations. Report.

3. The provisions of this act shall not be construed to include or apply to any person in charge of or operating a steam boiler or steam engine under the control of the government of the United States, or any steam boiler used in railroad locomotives or road vehicles, or in connection with the fire department of any municipality or public body Exceptions to act

of this State, or any steam boiler used exclusively for heating purposes, which boiler does not carry a pressure of more than ten pounds per square inch, nor shall it apply to any person holding a United States marine license.

License necessary.

4. Within sixty days after said bureau shall have been organized no person subject to the provisions of this act shall operate any steam boiler or steam engine without having a license herein provided for, except in case of emergency, and then for no longer than thirty days, of which emergency the owner of such steam boiler or steam engine, or the agent, superintendent or manager in charge thereof shall promptly notify such bureau in writing, stating briefly the circumstances in connection with such emergency.

Application.

5. Application for license shall be made on blanks to be provided for that purpose by the bureau and shall state clearly the name, residence, age color and nationality of the applicant, whether or not he is a citizen of the United States, and his previous experience as engineer or fireman.

Fee.

6. The fee for such examination and license shall be at the rate fixed by the said commissioner, not more than two dollars. Any license so issued may

Revocation of license.

be revoked by the commissioner for ignorance, neglect or intoxication upon duty , after notice to the holder thereof and a hearing afforded him before the said bureau. In case such revocation be recommended by said bureau, it shall not be acted upon by said commissioner until at least five days' notice of such recommendation shall be given the person holding such license and an opportunity afforded him to ask for a rehearing before the commissioner. After such rehearing, if allowed, the commissioner may either comply with or dismiss such recommendation, or, in a proper case, may suspend for a limited time such license.

Those now in charge not affected.

7. No engineer or fireman actually in charge of any steam boiler or steam engine at the time this act takes effect shall be required to take the ex-

amination required by this act, but shall receive a license as such engineer or fireman from the said commissioner upon the written request of the owner of the boiler or engine upon which he is engaged or by the agent, superintendent or manager of such owner, which application shall be made, however, within the time herein fixed for such examination.

Approval of license.

8. The form of such license so as aforesaid to be issued shall be in such manner as the Commissioner of Labor shall approve.

Salary.

9. Each member of the bureau shall be entitled to have and receive as and for his compensation the sum of twelve hundred dollars per year, payable monthly, in the same manner as the compensation of other employees of the said Department of Labor. The fees received by the commissioner for such licenses shall be paid into the State treasury.

Removal from office.

10. Any person so appointed a member of the said bureau may be removed by the said commissioner for sufficient cause the same as any other person in the Department of Labor appointed by him.

Approved April 14, 1913.

CHAPTER 364.

An Act to provide for farm demonstration in agriculture, making appropriation by the State and authorizing appropriations by the counties of this State in support thereof.

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

Demonstration of scientific agriculture.

1. For the purpose of assisting the farmers of this State to care for and improve the conditions of the soil, to increase the productivity of the farms and the value of farm products, the State Superintendent of Farm Demonstration, hereinafter provided for, is hereby authorized and di-

rected to conduct a continuous course of demonstration of the most improved and scientific methods of agriculture in the various counties of this State, selecting for purposes of demonstration farms in the various counties of this State which are most convenient of access to the majority of the farmers of such counties, the owners of which consent thereto and agree to co-operate in such demonstration work. The demonstration work contemplated by this statute shall be performed by the owners of such farms under the direction of the State superintendent and the county superintendents, as hereinafter provided, and the farms upon which such work is in progress shall be open to the inspection of all persons interested in such work in order that the results thereof may be as clearly and widely observed as possible. The funds appropriated for this purpose by the State and by the counties shall be used only, except for the payment of salaries, and expenses, as hereinafter provided, in giving field instruction on their own land to such farmers as may be selected by the State superintendent, as a part of the regular business of farming, and no part of such appropriation shall be used in maintaining a State farm, or in conducting experiments not in the line of regular farm work, nor in the distribution of literature. Such demonstration work upon any particular farm may be abandoned at any time when it becomes evident that for any reason the demonstration work upon that particular farm fails to produce the proper results.

Where performed.

Direction.

Use of funds.

Demonstration may be abandoned.

State superintendent.

2. For the purposes of carrying this act into effect, the board of managers of the New Jersey State Agricultural Experiment Station are hereby authorized to appoint a State Superintendent of Farm Demonstration, who shall be, as nearly as possible, a man who has had practical experience in farming, and who understands farmers, if possible, a graduate from an agricultural school of recognized standing. The State Superintendent

shall devote his entire time to the supervision and furtherance of farm demonstration work in the various counties of this State. The board of managers of the New Jersey State Agricultural Experiment Station may appoint, whenever it seems necessary to them, for each of the counties in this State a county superintendent of farm demonstration, who shall be a man of practical experience and who shall reside in the county for which he is chosen during his term of office and devote his time to the proper performance of his duties, which shall be the supervision and furtherance of farm demonstration work in his county, under the supervision and direction of the State Superintendent. The county superintendent shall receive such salary as the State superintendent shall fix, said salary, or so much thereof as the State superintendent may require, to be paid by the county for which he is appointed, from money appropriated for that purpose by the county.

County superintendents.

Salary.

3. In the performance of his duties under this act the State superintendent may act in co-operation with the Department of Agriculture of the United States, so long as that department continues to operate in the State of New Jersey, but shall not be limited by, nor depend upon, the continuance of such work by the United States Department of Agriculture.

Co-operation.

4. The boards of chosen freeholders of the various counties of this State are hereby authorized to appropriate for the purpose of farm demonstration work in their several counties such sums of money as shall seem to them just and proper, to be expended in the counties making such appropriation by the county superintendent, under the supervision and direction of the State superintendent. Appropriations made by any county shall be used only in such county in addition to the funds appropriated by the State and in furtherance of the projects contemplated by this act.

County appropriations.

State appropriation.

5. For the expenses of carrying into effect the purposes of this act, the sum of fifteen thousand dollars is hereby appropriated annually, when included in any annual or supplemental appropriation bill.

Repealer.

6. This act is hereby declared to be in the public interest and is to be liberally and broadly construed. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 365.

A Supplement to an act entitled "An act to abolish the State Board of Taxation, and to create in lieu thereof a board for equalization, revision, review and enforcement of tax assessments," approved March twenty-ninth, one thousand nine hundred and five.

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

Review and correction of local assessments.

1. Where any person or corporation has heretofore made complaint in writing, verified by the oath of such complainant, to the Board of Equalization of Taxes of New Jersey on or before the first day of April following the assessment of property of any kind, said board shall have power to review and correct the action of the local assessors or other taxing officers and of all boards of tax review, by reducing or increasing such assessment, or by reducing any tax rate, notwithstanding that said complainant may not first have appealed to the county board of taxation of the county where such property is situate.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 366.

An Act relating to the employment of Inmates of Penal, Correctional or Reformatory Institutions of this State.

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

1. From and after the passage of this act no contract whatsoever shall be made by which the labor or time of any inmate of any penal, correctional or reformatory institution of this State or any political subdivision thereof, or of the product or profit of his work, shall be let, contracted for, leased, farmed out, given or sold to any person, firm or corporation, except that the State prison inspectors may renew or extend such number or portions of contracts for labor of the prisoners of the State prison, as in their judgment may be necessary to keep such prisoners employed, pending the time when, under the provisions of any other act or acts of the Legislature the said prisoners may be employed on farm work, quarry work or road work; *provided,* that such renewal or extension shall be approved by the Governor, or the person administering the government of the State.

Time or labor of prisoners not to be contracted.

Proviso.

2. This act shall take effect immediately.

Approved April 14, 1913.

CHAPTER 367.

An Act to amend an act entitled "An act to defray the incidental expenses of the Legislature of New Jersey for the session of one thousand nine hundred and thirteen," approved April 7, 1913.

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

Appropriation for services.

1. It shall be lawful for the Treasurer of the State of New Jersey to pay, upon warrant of the Comptroller, to the several persons hereinafter named the following amount, that is to say: Item I—To Bernard L. Stafford, for services to Clerk of Committee on Corporation of the House of Assembly for the session of one thousand nine hundred and thirteen, three hundred and fifty dollars ($350.00).

This act is to take effect immediately.

Approved April 14, 1913.

JOINT RESOLUTIONS.

791

Joint Resolutions.

JOINT RESOLUTION NO. 1.

Joint Resolution ratifying an amendment to the Constitution of the United States.

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

Ratification of proposed amendment.

1. The amendment to the Constitution of the United States proposed at the second session of the sixty-first Congress, by a resolution of the Senate and House of Representatives of the United States of America, in Congress assembled, to the several State Legislatures, be and the same is hereby, upon the part of this Legislature, ratified and made a part of the Constitution of the United States of America, said amendment having been approved on the fifteenth day of March, one thousand nine hundred and nine, and is in the following words, to wit:

16th amendment.

"Article XVI. The congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Approved February 5, 1913.

JOINT RESOLUTION NO 2.

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

Commissioners on motor vehicle legislation.

1. That the Governor of this State be and he is hereby authorized to appoint three commissioners on the part of the State of New Jersey to act with

commissioners appointed or to be appointed by the Governors of the States of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware and Maryland, under resolutions similar to this, whose duty it shall be to ascertain whether the laws of the above mentioned States in reference to defining motor vehicles and providing for the registration of the same and licensing of drivers thereof, fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and service thereof and proceedings for the violation of the provisions of acts relative to same and penalties for said violations, can be so amended that the laws of the above-mentioned States be uniform in the above-mentioned or other particulars.

Report.

2. Said commissioners shall report their findings and recommendations at the next session of the Legislature.

Appropriation.

3. The members of the commission shall serve without salary, but for the purpose of necessary expenses and clerical help, the sum of three thousand dollars will be available when appropriated in the regular appropriation bill.

Approved February 25, 1913.

JOINT RESOLUTION NO. 3.

Joint Resolution ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States.

Preamble.

WHEREAS, At the second session of the sixty-second Congress it was resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds

of each house concurring therein), that in lieu of the first paragraph of section three of article one of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the States:

Proposed amendment.

"The senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for election of the most numerous branch of the state legislatures.

"Whenever vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies; provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

"This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution." Therefore,

Ratification of proposed amendment.

RESOLVED (*if the Senate concur*), That the Legislature of the State of New Jersey does hereby ratify the above recited proposed amendment to the Constitution of the United States.

Copy transmitted.

And be it further resolved (*if the Senate concur*), That the Governor be requested to transmit a copy of these resolutions and preamble to the Secretary of State of the United States of America.

Approved March 18, 1913.

JOINT RESOLUTION NO. 4.

A Joint Resolution providing for the additional cost and dedication of an equestrian statue over the remains of Major-General Philip Kearny, in the National Cemetery at Arlington, Virginia.

Preamble.

WHEREAS, The Legislature of this State, by the joint resolution approved March twenty-third, one thousand nine hundred and eleven, provided for a commission for the removal to and interment in the National Cemetery at Arlington, Virginia, of the remains of Major-General Philip Kearny, and Joint Resolution No. 1, approved February twenty-sixth, one thousand nine hundred and twelve, provided ten thousand dollars for the expense of a suitable monument; and

WHEREAS, The War Department has since suggested the removal of the remains to a new site to be marked by an equestrian statue which will involve some additional cost for the statue and the dedication thereof; therefore,

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

Appropriation.

1. That an additional sum of six thousand dollars be made to cover the additional cost of a suitable statue and foundation on new site in the National Cemetery at Arlington, Virginia, suggested by the War Department for an equestrian statue of Major-General Philip Kearny, in the National Cemetery at Arlington, Virginia.

Use of funds.

2. Twenty-five hundred dollars of the above stated amount to be applied to the additional cost of a suitable statue and the balance, or so much thereof as may be necessary, to be expended in

the cost of dedication of said statue when completed, including the necessary expenses of the commission; said expenditures when certified by said commission and approved by the Governor shall be paid by the Treasurer of the State out of the treasury of the State on the warrant of the Comptroller.

3. The commission shall make report to the Legislature of their proceedings under and by virtue of this resolution. Report.

4. This resolution shall take effect immediately.

Approved March 27, 1913.

JOINT RESOLUTION NO. 5.

WHEREAS, There is urgent need in this State for additional provision for the care, custody and treatment of mental defectives including the insane, epileptic and feeble-minded; and Preamble.

WHEREAS, There is no present reason to hope that the rate of increase in the number of these dependents will diminish; and

WHEREAS, The resources of the State are even now inadequate to provide for those whose mental deficiency has already been determined; and

WHEREAS, The overcrowded condition of our present institutions greatly interferes with and militates against the curative treatment of recoverable cases; and

WHEREAS, It is incumbent upon the State, in view of the foregoing, to determine the manner and method to be adopted in extending the provision for the insane, the feeble-minded and epileptic; therefore,

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

1. That the Governor of the State is hereby authorized and directed to appoint, subject to con- Commission on mental defectives.

firmation by the Senate of the State, five persons, citizens of the State, of whom one may be a woman, and one of whom shall be the Commissioner of Charities and Corrections, a representative of the Board of Managers from the New Jersey State Hospital at Trenton, and from the New Jersey State Hospital at Morris Plains, to be known as the New Jersey Commission on the Care of Mental Defectives; and that said commission within ten days after their appointment and confirmation shall meet and organize by the appointment of a chairman and a secretary. For this purpose and for any subsequent meetings held in the city of Trenton, the Department of Charities and Corrections shall provide the necessary facilities. The members of the commission are to serve without compensation, but their necessary expenses incurred in the discharge of their duties, shall be paid out of appropriations made for that purpose by the Legislature.

Organization.

Expenses met.

Duties.

It shall be the duty of the said commission to investigate the subject of public provision for the care, custody and treatment of mental defectives in this State, with particular reference to the following:

1. To what extent is the present public provision for the insane inadequate?

2. What additional provision is immediately necessary and what further provision is likely to be required in the near future?

3. In what manner can this additional provision best be made that will insure: (a) early relief; (b) economy in construction and administration (c) proper care, curative treatment and custody (d) adequate State supervision.

4. In what manner, if at all, can the present system of public care of the insane be reorganized so that the highest efficiency with the greatest economy in their care and treatment may be secured?

The commission shall similarly investigate the subject of the feeble-minded and the epileptic. Other subjects.

The results of the investigation of the commission shall be embodied in a report which shall be filed with the Governor on or before March first, one thousand nine hundred and fourteen, and by him forthwith transmitted to the Legislature. The Commissioner of Charities and Corrections and the heads of all institutions in this State shall furnish to said commission promptly, such information bearing upon the work of the commission, and in such form as may be asked for by the said commission. Report.

Resolved further, That the sum of two thousand five hundred dollars is hereby appropriated for the expenses of said commission, said sum or any portion of same to become available when included in the supplemental or annual appropriation bills. Appropriation.

This resolution shall take effect immediately.

Approved April 3, 1913.

JOINT RESOLUTION NO. 6.

A Joint Resolution providing for the appointment of a commission to investigate the need for the creation of a State Home for Consumptives in southern New Jersey.

WHEREAS, The State of New Jersey is now maintaining in the northern part of the State, at Glen Gardner, an institution for the care and treatment of consumptives; and Preamble.

WHEREAS, It is creditably reported that there are in the southern portion of the State a large number of persons suffering from this disease, who are unable, either by lack of accommodation at the institution above referred to, or the distance thereof from their homes and friends, to receive care and treatment in the said institution,

whereby it is believed to be necessary and just that a similar institution to that maintained at Glen Gardner be established at some point in the southern section of the State;

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

Commission on additional home for consumptives.

1. That the President of the Senate and the Speaker of the House of Assembly be and they are hereby authorized each to appoint two members from the bodies over which they respectively preside, who shall constitute a commission to investigate the necessity for and the advisability of the establishment in the southern part of the State of an institution for the care and treatment of consumptives, similar to that established and now maintained at Glen Gardner.

Clerical help.

2. The said commission shall have power to appoint a clerk or stenographer, but the members of the commission shall receive no compensation for their services or expenses.

3. This resolution shall take effect immediately.

Approved April 9, 1913.

SPECIAL SESSION OF THE LEGISLATURE.

801

Acts Passed by the Special Session of the Legislature.

Convened May 6, 1913.

CHAPTER 1.

A Supplement to an act entitled "An act concerning juries" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

Two lists made by sheriff.

1. The sheriff of each county shall, at least thirty days prior to the commencement of each term of the Circuit Court of his county, make two lists, alphabetically arranged, of persons liable to jury duty, having regard to the just distribution of jury service among those persons qualified therefor in the various wards and municipalities of such county, with their occupations and places of abode and designating their respective municipality and ward (if any) in municipalities, which lists shall be designated respectively "grand jury list" and "petit jury list." The number of persons named on the grand jury list, shall be at least five hundred in counties of the first class, at least three hundred in counties of the second class, and at least two hundred in all other counties; and the number of persons named on the petit jury list shall be at least seven hundred in counties of the first class,

Designation.

Number of names on list.

at least five hundred in counties of the second class, and at least three hundred in all other counties. The sheriff shall, within the time aforesaid, cause a copy of each of said lists to be delivered to the justice of the Supreme Court assigned to hold the Circuit Court in such county.

Copies furnished court.

Judge may strike off names.

2. The said Supreme Court justice may, in his discretion, strike from the grand or petit jury list the name of any person or persons, and in case no more than twenty per centum of the names thereon are thus stricken off, he may direct that the grand and petit jury panels for the next ensuing term be drawn from the names remaining on said lists, and if more than twenty per cent. of the names are struck off, said justice shall notify the sheriff of the names so stricken off, whereupon the sheriff shall forthwith fill the vacancies so caused, and shall file a corrected list or lists with said justice. After the respective jury lists are satisfactory to said justice each name thereon shall be numbered in consecutive order.

Corrected list.

Uniform metal pieces to correspond with list of names.

3. On a day and time to be fixed by the justice of the Supreme Court, not more than fifteen days before the commencement of each term of the Circuit Court, the sheriff of the county, or his deputy, shall in open court, produce to such justice, or, in his absence, to the president judge of the Court of Common Pleas of such county, uniform pieces of metal, with numbers stamped or impressed thereon in consecutive order, to correspond with the numbers set opposite the names on each of said jury lists as finally completed, and said sheriff shall hand the said pieces of metal to said justice or judge, who shall examine the same, and, if found correct, return them to said sheriff. The sheriff shall thereupon deposit the pieces of metal numbered for grand jurors in one box and the pieces of metal numbered for petit jurors in another box.

Pieces placed in separate boxes.

Drawing.

4. Immediately after the numbered pieces of metal have been so deposited, the boxes shall be

shaken and the pieces of metal deposited therein thoroughly mixed together, and the sheriff shall forthwith, in the presence of such justice or judge, proceed to draw singly from the grand jury box forty pieces of metal, and the persons whose names are found on the said grand jury list opposite the numbers corresponding with those found upon the pieces of metal so drawn, shall constitute the panel from which shall be drawn the grand jurors in and for such county to serve at the next ensuing term of the courts thereof; and shall in like manner draw singly from the petit jury box such number of pieces of metal as the said justice or judge shall direct, and the persons whose names are found on said petit list opposite the numbers corresponding with those upon the pieces of metal so drawn shall constitute the panel of petit jurors to serve in and for such county for the next ensuing term of the courts thereof. The pieces of metal shall, as they are drawn, be handed to said justice or judge for his inspection.

Grand jury panel.

Petit jurors.

5. The names, occupation and place of abode both of grand jurors and petit jurors, shall, as each number is drawn, be publicly announced by the sheriff or his deputy, who shall transcribe the same as they are announced, and shall make two lists thereof, both of which shall be certified by the justice or judge as true and correct, one of which shall be filed in the office of the clerk of said county as a public record, and the other shall be retained by said sheriff of the county.

Announcement of drawing.

Certified lists.

6. From the grand jury panel of forty names the said Supreme Court justice may excuse those unable or disqualified to serve, and should more persons be able and qualified to serve than are necessary to constitute such grand jury, then the names of those first drawn and not excused, shall constitute the grand jury.

Grand jury how constituted.

7. The justice of the Supreme Court may direct that the panel of petit jurors so drawn shall serve

Petit jurors may serve part of term of court.

for a designated portion of the next ensuing term only, and in such event they shall be so summoned, and the said justice may direct the sheriff, at a time to be fixed by the justice, to draw a new panel or panels of petit jurors to serve for another designated part of such term, and such new panel or panels shall be drawn and summoned from the final list certified by the sheriff prior to the commencement of such term, in the same manner as hereinabove provided.

New panel.

New grand jury.

8. In case a grand jury shall be discharged before the end of the term for which it is drawn, the justice of the Supreme Court may direct the sheriff to draw a new grand jury to serve for the balance of the term, and such new grand jury shall be drawn and summoned from the final list certified by the Sheriff prior to the commencement of the term, in the same manner as hereinabove provided.

Foreman of grand jurors.

9. The court in which the grand jurors shall be sworn in any county shall select and designate one of said grand jurors to act as foreman thereof, who shall be so sworn to act.

Jurors ineligible for year.

10. Any persons having served as a grand or petit juror at a term of court, shall be ineligible to serve either as a grand or petit juror for the space of one year thereafter.

Repealer.

11. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 2.

A Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and fourteen," approved April tenth, one thousand nine hundred and thirteen.

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

1. The following sums, or so much thereof as may be necessary, be and they are appropriated out of the State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirty-first day of October, in the year one thousand nine hundred and fourteen: Additional appropriation.

NATIONAL GUARD.

For the support and maintenance of the field hospital and medical corps, fifteen hundred dollars. Medical corps.

2. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 3.

A Further Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

Additional Appropriations.

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the several purposes herein specified and for supplying deficiencies in former appropriations for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen:

STATE HOSPITAL AT TRENTON.

Boilers.

2. For two new boilers, six thousand seven hundred dollars.

NATIONAL GUARD.

Medical corps.

3. For the support and maintenance of the Field Hospital and Medical Corps, fifteen hundred dollars.

OFFICE OF THE CLERK OF THE SUPREME COURT.

Clerical services.

4. For additional compensation for clerical services in the office of the Clerk of the Supreme Court, two thousand dollars.

MANUAL TRAINING AND INDUSTRIAL SCHOOL FOR COLORED YOUTH.

Water supply.

5. For defraying the cost of drilling a well on the grounds of the Manual Training and Indus-

trial School for Colored Youth, at Bordentown, and any other matter incidental thereto connected with the supply of water for the said institution, thirteen hundred dollars.

FOR THE RELIEF OF FRANKLIN TITUS.

6. For relief of Franklin Titus, who was shot while assisting the game warden of the county of Passaic, one hundred and eighty-nine dollars and seven cents. Pecuniary relief.

OFFICE OF CLERK IN CHANCERY.

7. For additional allowance for clerical service in the office of the Clerk in Chancery, fifteen hundred dollars. Clerical services.

8. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 4.

An Act to amend an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, eighteen hundred and ninety-eight.

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

1. Paragraph one hundred thirty-six of the act to which this act is an amendment is hereby amended to read as follows: Section 136 amended.

136. Every writ of election which shall be issued under the provisions of this act shall be of the nature of a proclamation, and be signed by the Governor, or by the President of the Senate, or the Speaker of the House of Assembly, as the case may be, and shall specify the cause and purpose of such election, the name of the officer in whose office the vacancy has occurred, the day on which a special primary election shall be held, which shall Proclamation for special election.

be not less than thirty-one nor more than forty days following the date of such proclamation, and the day on which the special election shall be held, which shall be not less than fourteen nor more than twenty days following the day of the special primary election.

Repealer.

2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 5.

An Act providing for compensation and reimbursement of persons returned as elected to be members of boards of chosen freeholders in any county of this State, and to whom certificates of election as such were issued, the title to whose office has been adjudged against such persons in appropriate legal proceedings, or where their title to such office has been adversely affected by judicial decision against other persons similarly situated with reference to membership in any such like board of chosen freeholders, by a court of competent jurisdiction, within one year last past, and providing for the payment of the expenses incurred by any such persons in litigation in which their title to such office aforesaid was involved, in those cases where legal proceedings concerning such title were actually conducted, and also providing for compensation to be made to persons appointed or elected to office or position by persons returned and certified as elected to be members of boards of chosen freeholders as aforesaid, and acting or assuming to act as such boards.

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

Proportionate salary paid for time served.

1. All persons returned as elected to be members of boards of chosen freeholders in any county of

this State, and to whom certificates of election as such were issued, the title to whose office has been or may hereafter be adjudged against such persons in appropriate legal proceedings, or where their title to such office has been adversely affected by judicial decision against other persons similarly situated with reference to membership in any such like board of chosen freeholders, by a court of competent jurisdiction, within one year last past, shall have and receive the pro rata proportion of the annual salary provided for in the act of the Legislature creating or purporting to create such boards of chosen freeholders to which such aforesaid persons were returned and certified as elected to be members, for a period of time between the date of the organization of such persons as a board and the date when their title to office was or may be adjudicated to be invalid, or was adversely affected by judicial decision.

Election and litigation expenses paid.

2. All persons returned as elected to be members of boards of chosen freeholders, and to whom certificates of election as such were issued, as mentioned in the first section of this act shall have and receive the expenses incurred by them in and about procuring their election as members to such board, according to their respective statements under oath and filed by them according to law; and also shall have and receive the expenses incurred by them in the litigation to which their title to such office aforesaid was involved, in those cases where legal proceedings concerning such title were actually conducted, including reasonable counsel fees.

Proportionate compensation to assistants.

3. All persons elected or appointed to offices and positions by persons returned and certified as elected to be members of boards of chosen freeholders as aforesaid, acting or assuming to act as such boards, and who have actually performed the duties and functions of the office or positions to which they were so elected or appointed, shall

have and receive the pro rata proportion of the annual salary provided for in resolution or other proceedings under which they were elected or appointed to such office or position and their salaries fixed, for a period of time between the date of their election or appointment or purported election or appointment to such office or position and the date when the title to office of such persons returned and certified as elected to such boards was or may be adjudicated to be invalid or was adversely affected by judicial decision.

Freeholders to provide for payments.

4. It shall be the duty of the boards of chosen freeholders in the counties of this State affected by this act to forthwith provide for and pay the salaries and expenses aforesaid of the persons mentioned in the foregoing sections of this act and the persons aforesaid may sue for and recover from such boards of chosen freeholders their compensation and expenses aforesaid in any court of competent jurisdiction.

5. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 6.

An Act to amend an act entitled "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 nine," approved March twenty-seventh, nineteen hundred and thirteen.

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

Title amended.

1. Amend the title of said act so as to read as follows:

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.

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

1. It shall be unlawful for any person or persons to hunt with a hound or firearms, or to go into the woods or fields with a hound or firearms, except only during the open season now or hereafter provided for killing quail, rabbit, squirrel English ring-neck pheasants, ruffed grouse, prairie chicken, wild turkey, or Hungarian partridge; *provided, however,* that the Board of Fish and Game Commissioners is hereby authorized to issue, in its discretion to all properly accredited persons, permits to hunt foxes with hound and firearms from the last day of the open season for killing the above-mentioned game until the thirty-first day of March, or to hunt with hounds and horses, to drag hunt and exercise hounds at all times, when under control of their owner, lessee or custodian; *and further provided,* that this act shall not apply to hunting deer, woodcock and snipe at the times and in the manner provided by law. Hunting in open season only. Proviso. Proviso.

3. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 7.

Supplement to an act entitled "A general act relating to boroughs" (Revision, 1897), approved April twenty-fourth, one thousand eight hundred and ninety-seven.

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

1. Whenever there are sewers or a system of sewers owned and operated by any borough, the Addition to sewer system.

cost of which or any portion of which has been assessed upon the property benefited, and there are sections or portions of the territory lying within the borough that cannot receive the benefits of such sewer or system of sewers by the building of lateral sewers in connection therewith or with the outlet of such sewers or system of sewers, and in the judgment of the council the public good demands that such territory should be sewered, designating the sections or portions of the borough that should be provided with sewers, the council may from time to time, by ordinance, cause such new or additional sewers or system of sewers, together with outlets when necessary, and works or places for treating or disposing of the sewage therefrom when necessary, to be constructed and cause such portion of the costs and expense thereof to be assessed upon the properties benefited as will equal the amount of the benefit actually received by such property and the excess shall be raised by general taxation.

Cost assessed on property benefited.

2. Upon the introduction of any such ordinance the council shall appoint a time and place for hearing objections to the passage of any such ordinance and shall cause the clerk to give public notice of such proposed improvement, briefly describing it and stating the time when and place where the council will meet to receive and consider objections thereto, which time shall be not less than ten days after the date of such notice: said notice shall be posted in five of the most public places in said borough for at least ten days prior to the time so appointed and published in a newspaper circulating in said borough at least ten days prior to the date of meeting as aforesaid, or if no newspaper be published in said borough, then in a newspaper published in the county and circulating in said borough; and if at the time and place so specified the owners of one-half of the property fronting on any street in which it is proposed to lay any sewers object thereto in writing, the council shall not pass

Hearing on proposed ordinance.

Notice.

As to objections.

any ordinance relating to any such street, nor shall the council entertain any new ordinance relating to such street, for the space of one year thereafter, but in case said ordinance contemplates the laying of sewers in more than one street, the council may amend the ordinance and eliminate from its provisions such streets as may have been thus objected to and proceed with the adoption of the ordinance for the remaining streets.

Bond issue submitted to voters.

3. Whenever the aggregate cost of such new or additional sewers or system of sewers, together with outlets when necessary, and works or places for treating or disposing of the sewage therefrom when necessary, to be laid in any one year shall exceed in value the sum of twelve thousand dollars, the council shall not proceed under the provisions of this supplement to lay the same until a proposition for the issue of bonds to pay the cost thereof shall have been submitted to the voters of such borough and carried by the majority of the legal votes cast at such election; but in all other cases the council may proceed with the improvement and issue improvement certificates therefor in accordance with the provisions of section forty-four of the act to which this is a supplement.

4. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 8.

A Supplement to an act entitled "An act for the erection and management of a house of detention for convict or criminal insane, upon the grounds of the New Jersey State Hospital at Trenton, and to regulate commitments thereto," approved April twenty-seventh, one thousand nine hundred and eleven.

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

House of detention at Trenton asylum.

1. The State House Commission is hereby authorized to erect and furnish, as a part of the house of detention for convict or criminal insane, contemplated and authorized by the act to which this act is a supplement, a central power and heating plant, to furnish power and heat for the said house of detention, when erected, and the other buildings of the New Jersey State Hospital at Trenton.

Expenditures.

2. The State House Commission is hereby authorized to expend, for the erection of the power plant building, the installation of the necessary machinery, and connections with the existing buildings upon the grounds of the New Jersey State Hospital at Trenton, so much of the moneys now available for the erection and furnishing of the said house of detention for convict or criminal insane, as may be necessary for this purpose.

Plans, etc.

3. The plans and specifications for the erection of the central power and heating plant, and the installation of the necessary machinery, shall be prepared by the Department of Charities and Corrections.

Repealer.

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

Approved May 27, 1913.

CHAPTER 9.

An Act to validate and confirm any election heretofore held in any borough under the authority of an act entitled "An act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts amendatory thereof and supplemental thereto, for the adoption of a proposition to issue bonds and to validate and confirm all bonds, contracts or other obligations issued, authorized or made pursuant to any such proposition so adopted.

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

Bond Issue validated.

1. Whenever heretofore under the authority of an act entitled "An act relating to boroughs (Revision, 1897)," approved April twenty-fourth, one thousand eight hundred and ninety-seven, and acts amendatory thereof and supplemental thereto, an election has been called and held in any borough for the adoption of a proposition to issue bonds, and a majority of the votes cast at such election have been in favor of the adoption of such proposition, said election and the proposition so adopted are hereby validated and legalized, notwithstanding any defect, omission or irregularity in the manner of submitting such proposition or other proceeding calling such election, or in the giving of notice or the conduct of such election or in the canvass or filing of the result thereof. All bonds, contracts or other obligations issued, authorized, made or entered into pursuant to the proposition so adopted, are hereby validated, legalized and confirmed.

2. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 10.

An Act validating proceedings for street improvements and assessments for benefits, and for the issuing of improvement certificates therefor, in cities of this State.

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

Failure to advertise not to invalidate proceedings for street improvements.

1. The failure of any city of this State to lawfully publish any ordinance required by any local charter or public statute, providing for any street improvement, shall not be held, taken or construed to invalidate any proceedings otherwise legal heretofore had in any such city authorizing the improving of any street, and assessing the abutting property owners for benefits, and the issuing of improvement certificates therefor, provided the improvement has been contracted for and the work performed, and also all such proceedings are hereby ratified, validated, approved and confirmed, notwithstanding any such omission or defect as aforesaid; and all assessments for benefits made or to be made on account of such improvement, and any improvement certificates issued or to be issued and sold by any such city in connection with said work, are likewise validated.

2. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 11.

An Act to amend an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and fourteen," approved April tenth, one thousand nine hundred and thirteen.

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

1. Amend section four of the act to which this act is an amendment so that it shall read as follows:

Section 4 amended.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums which are by law devoted to specific purposes, namely, State school tax, United States appropriation to Agricultural College, United States appropriation for disabled soldiers, United States appropriations for disabled soldiers, sailors, marines and their wives, Agricultural College fund and taxes for the use of taxing districts in this State, moneys received pursuant to the laws relating to motor vehicles, the amount of moneys certified to the State Comptroller by the Commissioner of Education as necessary to be deducted from the moneys received by the State from the taxation of railroad and canal property in pursuance of the provisions of an act entitled "A supplement to an act entitled 'An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof, approved October nineteenth, one thousand nine hundred and three,' approved April ninth, one

Moneys used as specified.

Deductions for schools.

thousand nine hundred and thirteen," (chapter two hundred and ninety-four of the laws of one thousand nine hundred and thirteen) and the moneys received by the State from the taxation of railroad and canal property, which may be by law apportioned to the various counties of the State for school purposes, and loans to "State School Fund," which last-named sums shall be paid pursuant to the laws applicable thereto; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of the previous year, nor of any payments into the State treasury by State institutions and commissions pursuant to an act entitled "An act regulating the receipt and disbursement of State moneys in certain cases," approved October thirty-first, one thousand nine hundred and seven (chapter two hundred and eighty-eight, laws of one thousand nine hundred and seven), which moneys by the provisions of chapter forty-one, laws of one thousand nine hundred and eight, are appropriated for the maintenance of said State institutions and commissions making such payments, and and nothing in this act contained shall apply to moneys received directly into the State treasury or through the Board of Fish and Game Commissioners as license fees, under any of the fish and game laws of this State, which moneys may be paid out as other moneys of the State; *provided, however,* that nothing in this section contained shall be construed to apply to payments in the State treasury by the State Reformatory and State Prison as receipts for the labor of inmates of those institutions.

Section how construed.

Proviso.

Approved May 27, 1913.

CHAPTER 12.

A Further Supplement to an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

Additional appropriation.

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the purpose herein specified and for supplying deficiencies in former appropriations for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen:

Hudson Tuberculosis Hospital.

For the support of paients confined in the Hudson County Tuberculosis Hospital, pursuant to the provisions of chapter 217 of the laws of 1912, from the date of the approval of said act to October 31, 1913, thirty-one thousand dollars.

2. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 13.

A Supplement to an act entitled "An act for the assessment and collection of taxes," approved April eighth, one thousand nine hundred and three.

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

Determining amount due in disputed redemption cases.

1. Whenever any real estate shall have been sold for taxes under the act to which this is a supplement, and the time for redemption shall have ex-

pired, and the failure to redeem the same shall be due to a dispute between the purchaser at the tax sale and the owner of the premises or other party in interest therein concerning the amount of costs and charges to which the purchaser is entitled by law, it shall be lawful for the Chancellor to determine the amount due such purchaser for taxes, interest costs and charges, and upon payment thereof either to such purchaser or to the clerk of the court to direct the cancellation of such tax sale and all proceedings thereon and to free said property from any lien or other cloud of the title by reason of such sale by certificate directed to the clerk or register of the county where the lands are situate.

Proceedings before Chancellor.

2. The said proceedings may be brought before the Chancellor by petition and the defendant brought into court by subpœna according to the practice of the Court of Chancery and to answer the petition within ten days after the return day of the subpœna. The matter may be heard and disposed of by the Chancellor in a summary matter.

Application of act.

3. This act shall apply to all sales heretofore or hereafter made, and shall be applicable either before or within one year after the time of redemption has expired.

4. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 14.

An Act to amend an act entitled "An act concerning cities," approved March 15th, 1893.

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

Section 1 amended.

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

Pass ordinance to pave, notwithstanding objections.

1. That whenever any objections or any remonstrances in writing to the paving or repaving of any public street or alley shall be received in answer to the public notice of intention of the common council, board of aldermen or other governing body of any city to cause any public street or alley, or section of such street or alley, to be paved or repaved pursuant to the determination of said common council or other governing body, and such objections are from the owners of one half in running feet of lots fronting or bordering upon said street or alley, or section of a street or alley, the common council or other governing body of any such city may, notwithstanding any such objections, proceed to adopt an ordinance for the paving or repaving of said public street or alley, or section of such street or alley, and to award contracts for the doing of said work; *provided, however,* that any such ordinance for the paving or repaving of any such public street or alley shall require for its final passage a vote of not less than four-fifths of the whole number of such common council or other governing body.

Proviso.

Repealer.

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

Approved May 27, 1913.

CHAPTER 15.

An Act to amend an act entitled "A Supplement to an act entitled 'An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen,' approved April third, one thousand nine hundred and twelve," approved April eighth, one thousand nine hundred and thirteen.

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

Item 34 amended.

1. Item number thirty-four of paragraph one of the act referred to in the title of this act is hereby amended to read as follows:

34.

STATE HOME FOR BOYS.

Jamesburg school.

For a trade school building, fourteen thousand five hundred dollars.

For the purpose of securing a proper water supply, including pipes, drilling of wells and all other matters incidental thereto, five thousand five hundred dollars.

Item 35 amended.

2. Item number thirty-five of paragraph one of the said act referred to in the title of this act is hereby amended to read as follows:

35.

BLIND AND FEEBLE-MINDED.

Vineland home.

For improvements and repairs to the State Home for Feeble-Minded Women at Vineland, three thousand dollars.

Repealer.

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

Approved May 27, 1913.

CHAPTER 16.

An Act to amend an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and thirteen," approved April third, one thousand nine hundred and twelve.

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

1. Item one hundred and two of "An act making appropriations for the support of the State government and for the several public purposes for the fical year ending October thirty-first, one thousand nine hundred and thirteen, approved April third, one thousand nine hundred and twelve," be and the same is hereby amended to read as follows: Item 102 amended.

102.

PRESERVATION OF RECORDS.

For the purpose of carrying into effect the provisions of chapter one hundred and eighty of the laws of one thousand nine hundred and thirteen, approved April first, one thousand nine hundred and thirteen, three thousand dollars. Department of archives.

2. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 17.

An Act to amend an act entitled "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and fourteen," approved April tenth, one thousand nine hundred and thirteen.

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

Item 102 Amended.

1. Item one hundred and two of "An act making appropriations for the support of the State government and for the several public purposes for the fiscal year ending October thirty-first, one thousand nine hundred and fourteen, approved April tenth, one thousand nine hundred and thirteen," be and the same is hereby amended to read as follows:

102.

PRESERVATION OF RECORDS.

Department of archives.

For the purpose of carrying into effect the provisions of chapter one hundred and eighty of the laws of one thousand nine hundred and thirteen, approved April first, one thousand nine hundred and thirteen, three thousand dollars.

2. This act shall take effect immediately.

Approved May 27, 1913.

CHAPTER 18.

An Act to amend an act 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," approved April seventeenth, one thousand nine hundred and five.

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

1. That section 7 of the above entitled act be and the same is hereby amended so as to read as follows: Section 7 amended.

7. The procedure prescribed by this act shall not be exclusive of the procedure authorized by other statutes. Procedure not exclusive.

2. This act shall take effect immediately.

Approved May 29, 1913.

CHAPTER 19.

An Act to amend an act entitled "An act concerning assessments for benefits conferred by the construction of sewers and drains in cities of this State," approved March twenty-seventh, one thousand nine hundred and six.

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

1. That section 3 of the above entitled act be and the same is hereby amended so as to read as follows: Section 3 amended.

Procedure not exclusive.

3. The procedure prescribed by this act shall not be exclusive of the procedure authorized by other statutes.

2. This act shall take effect immediately.

Approved May 29, 1913.

CHAPTER 20.

A Supplement to an act entitled "An act concerning juries" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four.

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

Jury commission.

1. In each county of this State there shall be appointed by the Chancellor of this State, one citizen, resident therein, who shall not be a member of the same political party as the sheriff of such county, and who, together with the sheriff of such county, shall constitute and be designated as "Commissioners of Juries." The certificates of appointment shall be filed in the office of the clerk of the county in and for which said commissioner is appointed. Such commissioners shall, before they enter upon the discharge of their duties, take and subscribe an oath, faithfully and impartially to execute the duties of their office according to the best of their skill and understanding, which oath shall be filed in the office of the clerk of said county. No person holding any other public office, or licensed to practice law in this State, shall be appointed as a commissioner of juries except as herein otherwise provided.

Oath.

Persons not eligible.

Term.

2. The said appointed commissioner in said county shall hold office for the term of one year. The office of any appointed commissioner of juries shall become vacant immediately upon his assuming the duties of any other public office. Such ap-

pointed commissioner shall receive such compensation as shall be fixed by the justice of the Supreme Court holding the Circuit Court in such county, but not more than the sum of nine hundred dollars per annum in counties of the first class, seven hundred and fifty dollars per annum in counties of the second class, and five hundred dollars per annum in all other counties, to be paid semi-monthly by the board of chosen freeholders of such county, and such board of chosen freeholders shall provide such commissioners with such stationery and other equipment as may be required by such commission. Compensation.

3. The Chancellor of this State may, at any time, remove the appointed commissioner in any county, and in case of a vacancy occurring by such removal, or by death, resignation, removal from the county, or because of disqualification by the assuming of the duties of any other public office, or for any other reason, shall appoint his successor for the balance of the term. The certificate of removal and of appointment to fill the vacancy shall be filed in the office of the clerk of such county. Removal. Filling vacancy.

4. The commissioners of juries may, upon the approval of the justices of the Supreme Court assigned to hold the Circuit Court in their county, employ a clerk at a salary to be fixed by such justice, not to exceed the sum fixed and to be paid to the appointed commissioner in such county, which salary shall be paid semi-monthly by the board of chosen freeholders of such county, and which said clerk shall hold office only at the pleasure of the said justice. Clerk to commissioner.

5. The commissioners of juries shall, at least thirty days prior to the commencement of each term of the Circuit Court in their county, make two lists, alphabetically arranged, of persons liable to jury duty, having regard to the just distribution of jury service among those persons qualified therefor in the various wards and municipalities of such county, with their occupation and places Lists of jurymen prepared.

of abode and designating their respective municipalities and wards (if any) in municipalities which lists shall be designated respectively "grand jury list" and "petit jury list." The number of persons named on the grand jury list shall at no time be less than three hundred, and the number of persons named on the petit jury list shall at no time be less than five hundred. The commissioners shall cause two copies to be made of each of said lists and shall certify the same under their hand as true and correct and shall cause one copy of each to be filed in the office of the clerk of such county at least twenty-five days prior to the commencement of each term of the Circuit Court in their county, there to remain a public record, and shall cause the other copy to be delivered to the justice of the Supreme Court assigned to hold the Circuit Court in such county. Upon the filing of such list with the county clerk he shall cause a copy thereof to be made immediately and posted in his office in a conspicuous place. Said commissioners may, from time to time, before certifying such lists, revise, strike off and add thereto, and the said justice may at any time order said commissioners to revise, correct and certify a new jury list or lists which shall not contain any names theretofore stricken off within one year. Each name on the respective jury shall be numbered in consecutive order. Said commissioners shall have access to and may copy the assessment rolls and registry lists of the several municipalities and election districts of their county; and they may, before certifying any lists, send notices to all persons whose names they may propose placing on such lists, requesting such persons to present to the commissioners any claim they may have to exemption from jury duty, and upon satisfactory reasons being given therefor they may be excused by the court.

Number on lists.

Certified copies filed.

Lists posted.

List revised.

Access to records.

Exemptions.

Lists presented in open court.

6. On a day and time to be fixed by the justice of the Supreme Court, not more than fifteen days before the commencement of each term of the Circuit Court, the county clerk of the county, or his deputy, shall in open court, present to such justice, or, in his absence to the president judge of the Court of Common Pleas of such county, the jury lists for the term filed with such county clerk, and the jury commissioners shall at the same time and place, produce uniform pieces of metal, with numbers stamped or impressed thereon in consecutive order to correspond with the numbers set opposite the names on each of said jury lists and said commissioners shall hand the said pieces of metal to said justice or judge, who shall examine the same and, if found correct, return them to said commissioners. The commissioners shall thereupon deposit the pieces of metal numbered for grand jurors in one box and the pieces of metal numbered for petit jurors in another box.

Numbered pieces of metal to correspond with names on list.

Drawing.

7. Immediately after the numbered pieces of metal have been so deposited, the boxes shall be shaken and the pieces of metal deposited therein thoroughly mixed together, and the commissioners, or one of them, shall forthwith, in the presence of such justice or judge, proceed to draw singly from the grand jury box, twenty-four pieces of metal, and the persons whose names are found on the said grand jury list opposite the numbers corresponding with those found upon the pieces of metal so drawn, shall be summoned to serve as grand jurors in and for such county at the next ensuing term of the courts thereof; and shall in like manner draw singly from the petit jury box such number of pieces of metal as the said justice or judge shall direct, and the persons whose names are found on said petit jury list opposite the numbers corresponding with those upon the pieces of metal so drawn shall constitute the panel of petit jurors to serve in and for such county for the next

Grand jurors.

Petit jurors.

ensuing term of the courts thereof, and shall be so summoned.

Announcements.

8. The names, occupations and places of abode both of grand jurors and petit jurors shall, as each number is drawn, be publicly announced by the commissioners, the metal pieces so drawn from the box handed to the justice or judge for inspection, and the clerk of the county, or his deputy, shall transcribe the same as they are announced and shall make two lists thereof, both of which shall be certified by the justice or judge as true and correct, one of which said clerk shall file in his office and the other he shall forthwith transmit to the sheriff of the county, who shall thereupon cause the persons so drawn, constituting the grand jurors and panel of petit jurors for such county, to be summoned to serve as such according to law.

Lists as drawn summoned.

Petit jurors may serve part of term.

9. The justice of the Supreme Court may direct that the panel of petit jurors so drawn shall serve for a designated portion of the next ensuing term only, and in such event they shall be so summoned, and the said justice may direct said commissioners, at a time to be fixed by the justice, to draw a new panel or panels of petit jurors to serve for another designated part of such term, and such new panel or panels shall be drawn and summoned from the list certified by the commissioners prior to the commencement of such term, in the same manner as hereinabove provided.

New panel.

New grand jury.

10. In case a grand jury shall be discharged before the end of the term for which it is drawn, the justice of the Supreme Court may direct the commissioners of juries to draw a new grand jury to serve for the balance of the term, and such new grand jury shall be drawn and summoned from the list certified by the commissioners prior to the commencement of the term, in the same manner as hereinabove provided.

Foreman of grand jury.

11. The court in which the grand jurors shall be sworn in any county, shall select and designate one of said grand jurors to act as foreman thereof, who shall be sworn to so act, and may excuse or discharge one of the said jurors if all shall appear when summoned.

Jurors ineligible for year.

12. Any person having served as a grand or petit juror at a term of court shall be ineligible to serve either as a grand or petit juror for the space of one year thereafter.

Powers of judge not affected.

13. Nothing herein contained shall be held or construed in anywise to limit the powers of the court or any justice or judge as heretofore had or exercised in connection with the drawing or discharge of jurors or panels of jurors.

Referendum

14. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately, but its provisions, except as to the referendum herein contained shall remain inoperative as a law of this State until the legal voters of the State voting at the next general election held after the approval of this act for the election of the members of the General Assembly have adopted the provisions of this act in the manner hereinafter provided. The county clerk in every county shall cause public notice of the submission of the question of the adoption of this act in the said general election to be given by advertisement signed by himself and set up in at least fifty different places in his county and published in one or more newspapers thereof for at least fifteen days before such election. The ballots used at the said election shall contain the words "For the adoption of an act approved (insert here the date of approval), and entitled 'A supplement to an act entitled "An act concerning juries"' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four."

Notice of submission.

Ballots.

Question.

Below upon said ballot shall appear the phrase "I favor the adoption of said act," and the phrase

"I oppose the adoption of said act," with a square to the left of each phrase, and below shall appear the words "Place a cross in one square."

Votes canvassed.

The votes cast upon the question of the adoption of this act shall be canvassed in the manner now provided by law for the canvass of votes cast at the general election held for the election of the members of the General Assembly; and if the greater number of votes cast with reference to the adoption or rejection of this act favor the adoption of this act, the act shall become effective as a law of this State on the fourth Tuesday of November, one thousand nine hundred and thirteen; but if the greater number favor the rejection of this act, then this act shall be null and of no effect.

In effect.

Approved May 29, 1913.

CHAPTER 21.

An Act to amend an act entitled "An act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards" (Revision of 1912), approved April 1, 1912.

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

Section 7 amended.

1. Section seven of the aforesaid act shall be amended so as to read as follows:

Repealer.

7. All acts and parts of acts, both general and special, inconsistent with this act, be and the same are hereby repealed; *provided, however,* that none of the foregoing provisions shall take effect in any county until the same shall have been adopted by

Proviso.

vote of the legal voters of such county, except as hereinafter provided. The adoption of this act shall be submitted to vote in any county, at any election for members of the General Assembly, or at any special election called solely for the purpose of submitting the question of the adoption of this act, or at any special election hereafter held, for any purpose, either within the entire State or in a subdivision thereof not less than the county in which the question of the adoption of this act is to be submitted, when a petition for such submission, signed by at least five per centum of the qualified electors of such county, as evidenced by the total number of votes cast at the then next preceding election for members of the General Assembly in such county, shall have been filed with the clerk of said county, of which submission the same notice shall be given as is required to be given of elections for members of the General Assembly, and whether such election be an election for members of the General Assembly or a special election as hereinbefore provided the same shall in all respects, as far as practicable, be conducted under and pursuant to the provisions of an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight, and the supplements and amendments thereto. The legal voters of said county may, at such election, decide upon the acceptance or rejection of this act in the following manner: There shall be printed on each official ballot, containing the name of candidates for members of the General Assembly, if such proposition be submitted at a general election, or on each official ballot containing the name of any candidate for any office or containing any other proposition or propositions, if submitted at a special election called for any other than the sole purpose of the adoption of this act, and upon each official ballot of the election at which the same is submit-

Referendum.

Petition for submission.

Election, how conducted.

Question on ballot.

ted if held for the sole purpose of submitting the question of the adoption of this act, the following proposition, "Shall the act to reorganize the boards of chosen freeholders of the several counties of this State, reducing the membership thereof, fixing the salaries and providing for the election and terms of office of the members, and also for the appointment and terms of office of officers appointed by such boards (Revision of 1912)," be adopted? and the voter may vote to adopt this act by making an X mark in the square opposite the word "Yes" and to reject this act by making an X mark in the square opposite the word "No"; and said ballots so cast for or against this act shall be counted and the result thereof returned by the election officers and a canvass of such election had in the same manner, and the acceptance or rejection of this act shall be declared in the same manner as the result of an election for county officers; and if there should be a majority of votes so cast in favor of the adoption of this act, but not otherwise, this act shall take effect in each county immediately.

Proposition submitted.

Result.

2. This act shall take effect immediately.

Approved May 29, 1913.

CHAPTER 22.

An Act to amend an act entitled "An act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State," approved April twenty-fifth, one thousand nine hundred and eleven.

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

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

Section 4 amended.

All powers vested in board of commissioners.

4. The board of commissioners shall have and possess all administrative, judicial and legislative powers and duties now had and possessed and exercised by the mayor and city council and all other executive or legislative bodies in said city, and have complete control over the affairs of the city adopting the provisions of this act. The executive, administrative and legislative powers, authority and duties in such city shall be distributed into and among five departments, except that in any city having but three commissioners, three departments shall be designated and provided by the consolidation of the first and third departments and the fourth and fifth departments as follows:

City departments.

1. Department of public affairs.
2. Department of revenue and finance.
3. Department of public safety.
4. Department of streets and public improvements.
5. Department of parks and public property.

Powers and duties prescribed by board.

The board of commissioners shall determine the powers and duties to be performed by each department and assign such powers and duties to the appropriate departments, and they shall prescribe the powers and duties of all officers and employees and they may assign particular officers and employees to one or more departments and may require any officer or employee to perform duties in two or more departments, provided the work required of such officer or employee in such different departments be similar in character, and make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

Commissioners assigned to departments as directors.

The mayor shall be the director of the department of public affairs, and the board of commissioners shall, at the first regular meeting after the election of its members, designate by majority vote one commissioner to be director of the department

of revenue and finance, one to be director of the department of public safety, one to be director of the department of streets and public improvements, and one to be director of the department of parks and public property, except that upon the organization of a board of three commissioners but three departments shall be designated, as above provided, and but three directors voted therefor, and such designation may be changed whenever it appears that the public service would be benefited thereby.

Subordinate boards and officers.

The board of commissioners shall at the first meeting, or as soon as may be after organization, create such subordinate boards and appoint such officers as it may deem necessary for the proper and efficient conduct of the affairs of the city. Any board created may be abated; or any officer or employee appointed by the board of commissioners may be removed from office by them at any time for cause, after public hearing, provided their action shall be taken in accordance with the civil service and tenure of office acts in municipalities where such acts have been adopted, and such action shall be subject to review by the courts as heretofore.

Salaries in first, second and third class cities.

The mayor and board of commissioners shall have suitable offices and their total compensation shall, in cities of the first, second and third classes, be as follows: In such cities having, by the last preceding State or National census, more than two hundred thousand population, the mayor's salary shall be not more than fifty-five hundred dollars, and that of each commissioner shall be not more than five thousand dollars. In cities having by the last census a population of over ninety thousand and not exceeding two hundred thousand, the mayor's annual salary shall be not more than three thousand five hundred dollars, and that of each commissioner shall be not more than three thousand dollars. In cities having from forty

thousand to ninety thousand population, the mayor's annual salary shall be not more than two thousand five hundred dollars, and that of each commissioner shall be not more than two thousand dollars. In cities having from twenty to forty thousand population, the mayor's annual salary shall be not more than one thousand eight hundred dollars, and that of each commissioner shall be not more than one thousand five hundred dollars. In cities having from ten to twenty thousand population, the mayor's annual salary shall be not more than one thousand five hundred dollars, and that of each commissioner shall be not more than one thousand two hundred dollars. In cities having from five thousand to ten thousand population, the mayor's annual salary shall be not more than one thousand dollars, and that of each commissioner shall be not more than seven hundred and fifty dollars. In cities having from twenty-five hundred to five thousand population, the mayor's annual salary shall be not more than seven hundred and fifty dollars, and that of each commissioner shall be not more than five hundred dollars. In cities having from one thousand to twenty-five hundred population, the mayor's annual salary shall be not more than five hundred and that of each commissioner not more than three hundred and fifty dollars. In cities having from five hundred to one thousand population, the mayor's salary shall be not more than two hundred and fifty and that of each commissioner shall be not more than two hundred dollars, and in cities having less than five hundred population, the mayor's salary shall be not more than seventy-five and that of each commissioner shall be not more than fifty dollars.

Salaries in cities of fourth class.

The compensation of the mayor and the commissioners shall, in cities of the fourth class, be as follows: In such cities having, at the last preceding State or National census, more than ninety thousand population, the mayor's salary shall be not

more than fifty-five hundred, and that of each commissioner shall be not more than five thousand dollars. In cities having from forty thousand to ninety thousand population, the mayor's annual salary shall be not more than four thousand and that of each commissioner shall be not more than three thousand dollars. In cities having from twenty thousand to forty thousand population, the mayor's annual salary shall be not more than three thousand, and that of each commissioner shall be not more than twenty-five hundred dollars. In cities having from ten thousand to twenty thousand population, the mayor's annual salary shall be not more than twenty-five hundred, and that of each commissioner shall be not more than two thousand dollars. In cities having from five thousand to ten thousand population, the mayor's annual salary shall be not more than two thousand, and that of each commissioner shall be not more than fifteen hundred dollars. In cities having from twenty-five hundred to five thousand population, the mayor's annual salary shall be not more than fifteen hundred, and that of each commissioner shall be not more than twelve hundred and fifty dollars. In cities having from one thousand to twenty-five hundred population, the mayor's annual salary shall be not more than twelve hundred and fifty, and that of each commissioner shall be not more than one thousand dollars. In cities having from five hundred to one thousand population, the mayor's annual salary shall be not more than seven hundred and fifty, and that of each commissioner shall be not more than five hundred dollars. And in cities having less than five hundred population, the mayor's annual salary shall be not more than five hundred dollars and that of each commissioner shall be not more than two hundred and fifty dollars. Such salaries shall be payable in equal monthly installments.

The salary or compensation of all other officers and employees of the city shall be fixed by the board of commissioners, and shall be payable monthly or at shorter periods as they shall determine; *provided, however,* that the salary or compensation of any member of the police or fire departments shall not be fixed at a less amount than that received by the said member at the time of the adoption of said act; *provided, however,* that the compensation of the commissioners shall be fixed by an ordinance adopted by the board of commissioners immediately after the organization of the board, in accordance with all the provisions of this act; the compensation so fixed shall not be increased during the term for which such commissioners are elected, unless, after said ordinance shall have been adopted, an increase in the compensation payable in such city shall be authorized by statute. In each city governed by the provisions of this act, there shall be a city clerk, who shall be appointed by the board of commissioners for such term as they may fix, and who shall be the clerk of the board of commissioners, and have the custody of their minutes, and of all papers and records of the city not otherwise expressly provided for. Said clerk shall also have custody of the seal of the city, and copies of all records of the city certified by him under the seal of the city, shall be legal evidence in all courts and places in like manner as if the originals were produced.

Other salaries.

Proviso.

Proviso.

City clerk.

The corporate existence of any city accepting the provisions of this act shall be continued, and its corporate name and seal shall not be changed by such acceptance, and all acts, general or special, relating to such city, shall, except so far as inconsistent with this act, apply to such city, and such city shall have and exercise the powers and duties thereby conferred or imposed.

Corporate name and seal continued.

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

Section 14 amended.

MUNICIPAL ELECTION.

Municipal election.

14. And in every city of ten thousand population or more, five commissioners, and in cities of less than ten thousand population, three commissioners, shall be elected, at an election to be held on the fourth Tuesday following the primary election following the election at which the voters shall have voted to adopt the provisions of this act, and on the second Tuesday in May in each fourth year thereafter. The number of candidates equal to twice the number of places to be filled, receiving the highest number of votes at the primary election, shall be the candidates, and the only candidates whose names shall be placed upon the ballot at the succeeding municipal election, and the number of candidates equal to twice the number of places to be filled receiving the highest number of votes for commissioners, or all such candidates if less than twice the number of places to be filled, shall be the candidates, and the only candidates whose names shall be placed upon the ballot for commissioners at such municipal election, and the ballot at such municipal election shall be in the same general form as for said primary election, so far as possible, and at all elections in such city the election precincts, voting places, methods of conducting election, canvassing votes and announcing the results, shall be the same as herein provided for the selection of candidates at the primary election, and the number of candidates equal to the number of places to be filled receiving the highest number of votes shall be elected as commissioners, as herein provided.

Number of candidates.

Election, how conducted.

The registry for elections held under the provisions of this act shall be the official registry list containing the names of those persons qualified to vote at the last preceding general election; transfers from one district to another shall be granted as provided by the laws appertaining to general elections in this State.

Registry.

Adding names to registry by court.

Qualified voters who did not vote at the general election preceding the holding of the primary elections or the elections provided for under this act may have their names added to the registry roll by applying to the judge of the Court of Common Pleas of the county in which such election is to be held at any time during the week preceding the holding of such election for the adoption of the act or the primary election or elections, and if upon such application it is made to appear to such judge that such person is a qualified elector and is entitled to vote at said election, an order shall be made by such judge directing the proper district board of election to accept such vote and such order shall be filed with the district board of election and shall be returned by said board to the clerk of the municipality wherein such election is held immediately after the holding of such election, to be kept and filed in the office of such clerk for at least a period of one year; *provided,* there shall be presented by such voter and there shall be filed with said order an affidavit of said voter containing the information requisite to be given under the election and registry laws of this State. Names may also be added to registry lists for any of the elections provided for under this act by the order of the county board of elections, in the manner prescribed for adding names to registry lists by the county board of elections for special elections to be held in any city of this State, as provided for in an act entitled "An act to regulate elections (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight," and the acts supplementary thereto and amendatory thereof.

Proviso.

Names added as for special elections.

Use of official ballots.

Official ballots shall not be distributed or used outside the voting place at any of the elections provided for under this act, and all the provisions of the laws relating to general elections bearing upon the subject of the distribution and use of official

ballots shall apply as nearly as may be to the ballots used at the elections held under the provisions of this act, except that there shall be no official distribution of sample ballots.

Section 15 amended.

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

RECALL.

Removal from elective office.

15. The holder of any elective office may be removed at any time by the electors qualified to vote for a successor to such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by the electors entitled to vote for a successor to the incumbent sought to be removed, equal in number to at least fifteen per centum of the entire vote at the last preceding general election demanding an election of a successor of the person sought to be removed, shall be filed with the city clerk, which petition shall contain a general statement of the grounds for which the removal is sought.

Fifteen per cent. of voters to petition.

Reasons given.

Signatures.

The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each such paper shall make an oath before an officer competent to administer oaths that the statement therein made is true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition, the city clerk shall examine, and ascertain whether or not said petition is signed by the requisite number of qualified electors, and he shall attach to said petition his certificate, showing the result of said examination. If by the clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate.

Examination of petitions.

Further examination and action taken.

The clerk shall, within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same, without prejudice to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the clerk shall submit the same to the board of commissioners without delay.

Ordering election to recall officer.

If the petition shall be found to be sufficient, the board of commissioners shall, if the officer sought to be removed shall not resign within five days after the date of the clerk's certificate, order and fix a date for holding the said election, not less than thirty nor more than forty days from the date of the clerk's certificate to the board of commissioners that a sufficient petition is filed.

Conduction of election.

The board of commissioners shall make, or cause to be made, publication of notice and all arrangements for holding such election, and the same shall be conducted, returned, and the result thereof declared in all respects as are other city elections.

Successor and term.

The successor of any officer so remove shall hold office during the unexpired term of his predecessor. Any person sought to be removed may be a candidate to succeed himself and unless he requests otherwise, in writing, the clerk shall place his name on the official ballot without nomination.

Incumbent may be candidate.

Making nominations at recall election.

Nominations at the recall election shall be made without the intervention of a primary election by filing with the city clerk, at least fifteen days prior to said election, a statement of candidacy accompanied by a petition signed by electors entitled to vote at such special election, equal in number to at least ten per centum of the total vote cast for members of the Assembly at the last preceding general election, which said petition shall be substantially in the form required for the making of primary nominations under this act, so far as

Form.

the same is applicable, substituting the word "Special" for the word "Primary" in said petition, stating therein that such person is a candidate for election instead of nomination.

Form of ballots.

The ballot for such special election shall be in substantially the following form:

OFFICIAL BALLOT.

Special election for the balance of the unexpired term of (name of incumbent) as Commissioner.

For Commissioner.
(Vote for one only.)
Names of candidates:
.....
.....
.....
Official ballot attest:
(Signature,)
.....
City Clerk.

Result of election.

In any such removal election, the candidate receiving the highest number of votes shall be declared elected. At such election, if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from the office upon qualification of his successor. In case the person who received the highest number of votes should fail to qualify within ten days after receiving the notification of election, the office shall be deemed vacant. If the incumbent receives the highest number of votes, he shall continue in office. The same method of removal shall be cumulative and additional to the methods heretofore provided by law. No person who has been recalled from elective office, or who has resigned from such office, while recall proceedings were pending against him, shall

Failure to qualify.

Incumbent may continue.

Recalled officer ineligible for a year.

be appointed to any office within one year after such recall or resignation.

No recall petition shall be filed against any officer until he has actually held his office for at least one year, and but one recall petition shall be filed against the same officer in any one calendar year during his term of office. Time for recall.

4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect immediately. Repealer.

Approved May 29, 1913.

PROCLAMATIONS BY THE GOVERNOR

(849)

Proclamations by the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

TRENTON, N. J., March 10, 1913.

WHEREAS, The Comptroller did, on the sixth day of January, nineteen hundred and thirteen, under the provisions of an act entitled "A further supplement to an act entitled, 'An act to provide for the imposition of State taxes upon certain corporations and for the collection thereof,' approved April 18, 1884," which supplementary act was approved June 3, 1905, report to the Governor a list of all corporations coming under this said act; and

WHEREAS, The following-named corporations so reported have, for the two years preceding such report, failed, neglected, or refused to pay the State taxes assessed against them for the year 1910, under the laws of the State of New Jersey, and made payable into the State treasury; and

WHEREAS, Under the provisions of said act the charter of said corporations are repealed and all powers conferred by law upon such corporations declared inoperative and void; unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, James F. Fielder, The President of the Senate, Acting Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this proclamation that the charters of the following-named corporations so reported, and in default, to wit:

MISCELLANEOUS CORPORATIONS.

UNPAID TAXES FOR 1910

Abbott, Myron, Mason Medical Company,
A. B. C. Textile Manufacturing Company,
Aberdeen Company,
A. B. Patterson Produce Company,
Accountancy Institute of New Jersey,
Ackroyd True Radiator Company,
Acme Column Company,
Acme Construction Company,
Acme Dyeing and Bleaching Company,
Acme Hardware Company,
Acme Railway and Stationary Refrigerating Company,
Acme Realty Company of Hudson County,
Adam Engineering and Chemical Company,
Adam Hoch Leather Company,
Adams Manufacturing Company, Incorporated,
Adams Realty Company (No. 1),
Adamy Realty Company,
Adjustment Company of New Jersey,
Adolf Karl Company,
Afro-American Realty Company of Philadelphia, Pa.,
A. Houston Company,
Alaska Fuel, Power and Transportation Company,
Albert A. Guiges Leather Company,
Albion Land and Development Company,
Albumen Paint Company,
Alchemite Company,
Alignum Asbestos Lumber Company,
Allentown Contracting Company,
Allers and Company,
Alpha Fireproof Column Company,
Alpha Rho of the Chi Psi Lodge,
Alpine Hotel and Improvement Company,
Althegus Manufacturing Company,
Alvarez Mining and Milling Company,
Alvord and Smith Realty Company,

Amalgamated Realty Company,
Amboy Investment Company,
American Alcohol Company,
American Amusement Association,
American Arithometer Company,
American Art Lithographing Company,
American Audiphone Company, formerly Westphal Polyphone Company,
American Checkogram Company,
American Chemical and Novelty Company, Incorporated,
American China Contracting Company,
American Chocolate Almond Company,
American Chulax Company,
American City's Realty Company,
American Color Company,
American Concrete Piling Company,
American Development Corporation,
American Dressed Beef and Provision Company,
American Electric Telephone Company,
American Electrical Manufacturing Company,
American Engineering Company,
American Gas and Power Company,
American General Trading Company,
American Laundry Machinery Manufacturing Company,
American Malleables Company,
American Marine Exposition Company,
American Marking Company,
American Pressed Steel Company,
American Producer Gas Engine Company,
American Publicity Company,
American Railway Steel Tie Company,
American Regenerative Furnace Company,
American Shoe Shank Manufacturing Company,
American Silk Company,
American Steel Spring Company,
American Swiss Watch Company,
American Underwear Company,
American Water Supply Company of New Jersey,
American Whiting and Putty Manufacturing Company,

American Wood Fire Proofing Company, Limited,
Amusement Parks Company,
Amusement Securities,
Andersen Coal Mining Company,
Anderson Company,
Anexas Mining Company,
Anglo-American Food Company,
Ann Arbor Chemical Company,
Anthracite Coal Company of America,
Anti-Germ Mouthpiece Manufacturing Company,
Appleby-Wagner Company,
Archibald C. MacElroy Manufacturing Company,
Artistic Brick Manufacturing Company,
Asbury Park Automobile Company,
Asbury Park Bill Posting Company,
Asbury Park Reduction Company,
A. Smith Company,
Associated Manufacturing Company,
Associated Realty Interests,
Associations Company,
Atlantic Cement Block Company,
Atlantic Exchange,
Atlantic Land Development Company,
Atlantic Realty Contract Company,
Atlantic City Advertising Company,
Atlantic City Automobile Club,
Atlantic City Heights Company,
Atlantic City Sales Agency Corporation,
Atlas Engineering Company,
Atlas Realty Company,
Atta Press,
Audiger and Meyer Silk Company,
Audubon Mill and Lumber Company,
Augusta Electric Company,
Auro Chemical Company,
Automatic Beveling Machine Manufacturing Company,
Automatic Coinwrapping Machine Company,
Automatic Electric Shoe Shining Company,
Automatic Flareback Prevention Company,

Automatic Platen Press Company of America,
Automatic Safety Gas Burner Company,
Automatic Wetter Up Company,
Automobilia Company of America,
Automobile Service Company,
Automobile Service Company of New Jersey,
Auto Express Company,
Auto Igniter Company,
Auto Reporting Company,
Autovehicle Company,
Avenel Amusement Company,
Azienza Specialties Company,
Aztec Construction Company,
Aztec Copper Smelting Company,
Bachmann's Aeroplane Company,
Baker Automatic Filter Company,
Baker House Pharmacy (Incorporated) of Vineland, New Jersey,
Balmoral Land and Improvement Company,
Baltic Ice Corporation,
Banner State Development Company,
Banner Utilities Company,
Barnegat Bay Realty Company,
Barranca Mines Company,
Barry Milk and Cream Company,
Bartell-Crane B-S-Supporter Company,
Battle Mountain Mining and Milling Company,
Bauer Estate Land Company,
Bayonne Foundry and Machine Works,
Bayview House Company,
Beach Haven Crest Realty Company,
Bell Union Coal and Coke Company,
Belleplain Heights Land Company,
Benito Juarez Mines Company,
Bergen County Building Company,
Bergen Developing Company,
Bergen Horse Company,
Bergen Ridge Realty Company,
Bergen and West Side Automobile Company,

Bergen and West Side Motor Car Company,
Berger Drug Company,
Berger Trap Rock Company,
Berlin Grange Hall Association,
Berry Hotel and Commercial Agency,
B. Frankel Realty Company,
Bickford Lumber Company,
Biertuempfel Cork Company,
Billingsport and Philadelphia Ferry Company,
Bingham Construction Company,
Bittner, Fitzpatrick Company,
B. Jacobson and Son Company,
Black Warrior Coal and Coke Company, Inc.,
Blandon Clay Company,
Boardwalk Publishers, Incorporated,
Boilers and Engineering Company,
Boles Friction Fastener Company,
Bongartz Company,
Bonna Pipe Company,
Booklovers Corporation,
Bound Brook Construction Company,
Bowden and Hack Fruit Company,
Boyes Mono-Rail Coaster Company of Coney Island,
Brady Corporation,
Brandenburgh Wagon Works,
Bras D'or Land Company,
Braun Electro-Automatic Weighing-Machine Company,
Braun and Fitts,
Bridge River Placer Company,
Bridgeton Hotel Company,
Brilliant Chemical Works Company,
Bringhurst Baking Company,
British-American Brewing Company,
British Columbia Packers' Association,
Bunten Real Estate Company,
Burlington Improvement Association,
Burnet Compound Spring, Incorporated,
Byl System Company,
C. A. Foster Company,

Cahoone Furniture and Novelty Company,
Calvert-Zusi Auto Company,
Camden Construction Company,
Camden Pressed Stone and Concrete Company,
Campbell Belting Company,
Canister Manufacturing Company,
Capital Investment and Realty Company,
Carpenter Enamel Rheostat Company,
Carteret Realty Company,
Cascade Carpet Company,
Catawba Gold Company,
Cedarville Wire Fence Company,
Centerfreeze Ice Company of Pittsburgh, Pa.
Central Coal Company,
Central Garage Company,
Central Jersey Improvement Corporation,
Central Machine Works, Incorporated,
Central New Jersey Telephone Company,
Central Supply Company,
Centre Publishing Company,
Century Roofing and Manufacturing Company of New Jersey,
C. F. Wegner Company,
Changuinola Banana Company,
Chapman Superior Slate Company,
Charles A. Sims and Company, Incorporated,
Charles E. Dodd Company,
Chas. F. Miller Company,
Charles H. Yale Company,
Charles L. Smith Company,
Chas. N. Gardner Company,
Chas. R. Cook, Sr.,
C. H. Butterworth Drug and Paint Company,
C. H. Duehring and Company, Incorporated,
Chelsea Construction Company,
Chesapeake and Potomac Steamship Company,
Chesaw Mining Company,
Chester N. Jones Company,
Chicago Engineering and Constructing Co.,

Chicago Subway Company,
Chihuahua and Pacific Railroad Company,
Childs McKeever Company,
Chlorine Remedy Company,
Citizens' Light, Heat and Power Company,
Citizens' Protective Association of New Jersey,
City Realty and Development Company,
Clarke Building Company,
Clement M. Devine and Company,
Clifton Stadium Company,
Clinton Investment Company,
Closter Hardware Company,
Cloverside School,
Coast Construction Company,
Coast and Inland Realty Company,
Coast Line Telephone Company,
Coast Rendering Company,
Coastesville Laundry Company,
Cockburn Barrow and Machine Company,
Coinonomic Company,
Colby and Company,
Colonial Casket Company,
Colonial Construction Company (No. 2),
Colonial Engineering and Contracting Company,
Columbia Touring Company,
Columpo Bay Land Company,
Commercial Bureau Company,
Commonwealth Agency Company,
Communipaw Motor Car Company,
Community Rubber Company,
Compania Guayulera Mexicana de America,
Compensating Valve Company,
Complex Aural Company,
Composite Type Bar Company,
Composition Company,
Concrete Building Company,
Conecuh Cotton Mill,
Connecticut Mill Supply Company,
Conover Machine Company,

Consolidated Hay and Grain Company,
Consolidated Land Company of Eastern Kentucky,
Consolidated Mica Mines Company,
Consolidated Mountain Ice Company,
Consolidated Storage Company,
Construction Company, General,
Continental Ozone Company,
Continental Touring School, Incorporated,
Continental Typewriter Company,
Continuous Process Machine Company,
Continuous Rail and Safety Switch Company,
Co-operative Chemical and Drug Company,
Co-operative Cranberry Company of New Jersey,
Co-operative Investors, Incorporated,
Co-operative Realty Company of Jersey City,
Co-operative Tropical Fruit Association,
Cornman and Levine Realty and Construction Company,
Corporate Realty Securities Company,
Corporation of Colonia,
Corporation Securities Company,
Cosgrove Brothers,
Country League,
Country Press,
Cragin Cattle Company,
Craig-MacKinnon Company,
Craig Park Company,
Crawford Company,
Creamery and Dairy Company,
Creditors' Fund Association,
Creo Company,
Creole Queen Hair Tonic Manufacturing Company,
Crescent Flexible Armor Hose Company,
Crestmoor Stone Company,
Cruise and Company,
Crystal Enterprise Amusement Company,
Crystalith Mineral and Mining Company,
Cumberland and Salem Construction Company,
Cummings Patent Furnace Construction Company,
Curley Pennell Contracting Company,

Daisy Safety Razor Company,
Dakota Steam Laundry Company,
Danbury Brewing and Ice Company,
David D. Slaight Hardware Company,
David Dwyer and Company,
Davis Brothers Neuralgia Cure Company,
Day Sanitary Manufacturing Company,
Dayton Hotel Company,
Dean Heat Distributor and Specialty Company,
D. E. Brennan Company,
De Koerier Publishing Company,
Delaney Company,
Delaware and Lackawanna Steel Company,
Delaware Mining Company,
Delaware River Corporation,
Democracia Mining Company,
Deto Manufacturing Company,
Detroit Rolling Mills Company,
Dexter-Chapman Engineering Company,
Diament Hook and Eye Company,
Diamond Graphite Company,
Disk Talking Machine Manufacturing Company,
Dispatch Transport Company,
Distributors Company,
Dodge Metallic Cap Company,
Donaldson and Whittlesey Company,
Dressler Market, Incorporated,
Driscoll Valley Coal Company,
Du Bois Coal Mining Company,
Ducker Company,
Dundee Lake Development Company,
Duplex Vibrator Company,
Durango Central Railroad Company,
Durango Development Company,
D. and W. Sales Company,
Eagle Company of Perth Amboy,
Earl Realty Company,
East Jersey Construction Company,
East Linden Land Company,

East New Brunswick Land Company,
East Orange Publishing Company,
East Side Building and Construction Company,
Eastside Wet Wash Laundry Company,
Eastern Embroidery Works,
Eastern Stock Company,
Eastern Supply Company,
Eastern Trading Company,
Edgar L. Meeker Company,
Edgemont Felspar Company,
Edwin D. Gilbert Company, Inc.,
E. J. Turner, Incorporated,
Electra-Pura Water Company,
Electric-Air Drill Company,
Electric Appliance Manufacturing Company,
Electric Novelty and Talking Machine Company,
Electric Park Amusement Company,
Electrical Products Company,
Electro-Chemical Company,
Electro-Chemical Permanent Betterment Process Steel Company,
Elizabeth Realty Improvement Company,
Elroy Amusement and Realty Company,
Elwell Rubber and Insulation Company,
Elwood Ribbon Manufacturing Company,
Embalmers' Supply Company,
E. M. Harrison Company,
Empire Brick and Sand Company,
Empire Development Company,
Employees Legal Security Corporation,
English Veneer Company of America,
Enterprise Dry Goods Company,
Enterprise Realty Company of Perth Amboy, N. J.,
Era Realty Company,
Ern Construction Company,
E. Schlosser and Company,
Essex Associates,
Essex County Amusement Company,
Essex Realty Exchange,

Essex Terrace Development Company,
Estates of Chatham,
Estates and Mortgage Corporation,
Eureka Sales Company of Chicago,
Evaul Realty Company,
Excelsior Insulated Wire Company,
Exchange Realty Company,
Exploiting Company, Limited,
Fabian Realty Company,
Factolith Company,
F. A. Geiger Company,
Fair View Corporation,
Farmers Canning Company of South Vineland, N. J.,
Farmers and Merchants Transportation Company of Bridgeport, N. J.,
Farm Garden and Poultry Publishing Company,
F. B. Burns Company,
Federal Mailing and Machine Company,
Federal Promotion Company,
Federal Realty and Finance Company,
Fertilizer Products Company,
Fibre Covered Bottle Company,
Fibre Products Company,
Fibrous Paint Company,
Finegan Lumber Company,
First Street Furniture Company of Passaic, N. J.,
Fisch and Company,
Fite Fire Company,
Flanegin Oil Company,
Flat Iron Window Cleaning Company,
Flexible Aeroplane Company,
Flexible Enamel Leather Company,
Florida Investment Company, formerly Steacy Real Estate Company,
Folmer and Andorfer,
Force Contracting Company (Incorporated),
Forest Hill Hotel and Cottage Company,
Fort Pitt Distilling Company,

Four Corner's Investment Company,
Frank M. Acton Company,
Frank Realty Company,
Frankford Manufacturing Company,
Franklin F. Mayo Company,
Franklyn Engraving Company, Incorporated,
Fraser Lock Bar Pipe Company,
Frederick G. Meredith, Inc.,
Frederick J. Coleman and Company,
Fred. J. Titus Company,
Frick Lyceum,
Froude Company,
Fruit and Produce Shippers Association of N. J.,
Funston Moulding Company,
F. X. La Londe Shock-Loader Company,
Garfield Cement Manufacturing Company,
Gas Equipment Company,
Gasoline Motor Efficiency Company,
G. Clinton Smith Company,
G. and C. Manufacturing Company,
General Amusement Company,
General Contracting and Construction Company,
General Waves Power Company,
George E. Sattler Company,
George E. Sattler Moulding and Frame Company,
George E. Talmage, Incorporated,
Geo. Focht Sons Iron Works,
George H. White, Incorporated,
Geo. M. Painter Construction Company,
George Nimmo Company,
George White Company,
George W. Wills Company,
Georgia Creosoting Company,
Georgia-Jersey Lumber Company,
German American Printing and Publishing Company,
Germania Electric Lamp Company,
Girtwood Realty Company,
Glaister Company,
Glasspact Food Specialties Company,

Glass Telephone Mouthpiece Company,
Glen Rock Lumber Company,
Globe Ornamental Iron Works,
Gloucester Mills,
Go-Around Advertising Company,
Goldman Pawnbroking and Loan Company,
Goldstein Fineberg Company,
Gossler Company,
Grantwood Heights Land Company,
Graphlic Products Company,
Gravure Company of America,
Gray Adding and Listing Machine Company,
Greene Manufacturing Company,
Greene Music Company,
Greenville Building and Construction Company,
Gretna Warehouse and Commission Company,
Greylock Land Company,
Gruhn and Schwarz Company,
Guanajuato Amalgamated Gold Mines Company,
Guarantee Hosiery Mills,
Guarantee Silk Lining Mills,
Gulick Company,
Gumaerd Lead and Zinc Company,
Hamburg-Cordovan Leather Works,
Hamburg Vitrified Brick Company,
Hamilton Pottery Company,
Hamilton Realty Company,
Handy Bill Fold Company,
Harbor Dredging and Scow Construction Company,
Harriman Securities Company,
Harrison Coal Company,
Harrison and Knight Manufacturing Company,
Harry Layton Land Company,
Harry Pinsky and Son Company,
Hasbrouck-Schultz Company,
Havana Telephone Company,
Hawkins' Drug Company,
Hawthorne Water Company,
Hayes Welting Company,

H. Bartholomew Company,
H. C. Beach Realty Company,
H. C. Klein and Company,
Heat and Odor Extinguisher Company,
Hektograph Company,
Helena Water Works Company,
Henry Dickson Company,
Henry Lee Company,
Henry Lipkemann Company,
Henry S. Meyers Realty Company,
Herculoid Paper Company,
Hereford Glass Company,
Hess Bright Manufacturing Company,
H. G. Oesterle and Company,
Highland Realty Company,
Highlands Leasing Company,
Highwood Chemical Company,
Hilke Realty Company,
Hillsdale Bleaching Company,
Hill Wright Electric Company,
Hiner Manufacturing Company,
Hippodrome Company,
Hippodrome Vaudeville Company,
H. K. Phillips Cigar Company,
H. M. Rue Shoe Company,
Hodgman's, Incorporated,
Hohokus Driving Park,
Holderman Company,
Hollander Brothers,
Hollywood Company,
Home Land and Mining Company,
Home Providing Company,
Homestead Park Realty Company,
Homestead Realty Company,
Hooper Medicine Company,
Hope Gold Mining and Milling Company,
Horace E. Frick Company,
Hotel Phoenix,
Hotel Titchfield Company,

Hub Machine and Tool Company,
Hudson County Bakers Supply Company,
Hudson County Flour Company,
Hudson Engineering Company,
Hudson-Englewood Realty Company,
Hudson Merchandising Company,
Hughesville Lumber and Box Company,
Hugo Dry Goods Company,
Hull-Wylly Company,
Hunter Arena,
Hunter and Crane,
Hunt Polish Company,
Hushac Company,
Hydraulmatic Company,
Hygienic Milk Powder Company,
Hylton Corporation,
Idaho Company, Limited,
Ideal Railroad Car Truck,
Improved Railroad Switch Company,
Independent Wood Company,
Indiana Gas and Electric Company,
Industrial Development and Manufacturing Company,
Industrial Land Improvement Company,
Industrial Storage Battery Company,
Inflexible Company,
Ingling Construction Company,
Inquirer Printing and Publishing Company,
In-sen-zum Company,
Instantaneous Electric Water Heater Manufacturing Company,
Interborough Construction Company,
Interborough Rubber Company,
Interchangeable Gear Company,
Interchangeable Last and Tree Company,
Inter-County Company,
Interlaken Transit Company,
International Bureau of Secret Service,
International Button Company,
International Combustion Corporation,

International Generator Company,
International Illuminating Company,
International Iron and Ore Company,
International Power Company,
International Rubber Company,
International Stock Board Company,
International Woodworking Company,
Inter Reservoir Realty and Construction Company,
Interstate Dredging and Land Company,
Inter-state School Book Company,
Inter-state Trading Company,
Investment Company of America,
Iron Rock Mineral Springs Company,
Iron Rock Springs Realty Company,
Iron and Steel Products Company,
Jackson Bergen Company,
Jackson Construction Company,
Jackson Decorating and Awning Company,
Jackson Terrace Realty Company,
Jacob Kaiser and Sons,
Jacobus Engineering Company,
James Jackson and Sons,
James Maybury and Son,
J. B. Lutz and Brothers,
J. B. Reid Engineering and Contracting Company,
Jermyn Brewing Company,
Jersey City Democrat,
Jersey City and West Bergen Express,
Jersey Churning Company,
Jersey Meadow Hay Company,
J. Eugene Beck Company,
J. H. Baird Orchard Company, Incorporated,
J. J. Neary Box and Lumber Company,
J. L. Hutchinson Land Company,
J. M. Potts Silk Company,
J. M. Washburne Company,
John Cathcart Lumber Company,
John E. Annin, Inc.,
John Good Company,

John Polachek, Incorporated, formerly Royal Grocery Company,
John R. Garranbrant, Jr., Incorporated,
Jno. T. Landis and Company,
Johnston Company,
Johnston-Luth Construction Company,
Jones Taximeter Company of the Southwest,
Jose Jene Cigar Company,
Joseph Feld Company,
Joseph Fergg Company,
Joseph Murphy and Son, Inc.,
Joseph Sholl Drug Company,
Joy Construction Company,
J. R. Chessman Company,
J. R. Quigley Company,
J. T. Reiley Company, Incorporated,
Jucaro and Moron Sugar and Land Company,
Juniata Hydro-Electric Company,
Keansburg Heights Company,
Kehoe Livery and Trucking Company,
Keller Machine Company,
Kenny-Sedlag Taxicab Company,
Kent Construction Company,
Keystone Ice Machine Company,
Kiel and Arthe Company,
Kimsey Company,
Kingsland Realty Company,
Kinzua Valley Paving Block Company,
Koch's Hotel Company,
Kohne Brothers Company,
Kornit Manufacturing Company,
Kramer's Guarantee Lens Protective Company,
Krom Machine Works,
Kuhn Specialties Company,
Labor World Publishing Company,
Lackawanna Publishing Company,
Lake Hopatcong Steamboat Company,
Lakeside Garden's Company,
Lakeside Park Realty Company,

Lakeview Amusement Company,
Lakeview Improvement Company,
Lake View Land and Building Company,
Lakewood Manor Realty Company,
Lancaster Nickel Mines Corporation,
Lanyon Zinc Company,
Larchmont Lumber and Mining Company,
Lawrence Company,
Lawrence Farrell and Sons Company,
L. Colodny Company,
L. C. Ward Machine Company,
L. D. Van Rensselaer Company,
Lemanquais Electrical Manufacturing Company,
Lenox Clothing Company,
Lenox Ribbon Company,
Lerner, Block Norton Company,
Liebig Extract Company,
Lincoln Architectural Iron Company,
Lincoln Mining Company,
Lind and Company,
Linerd Real Estate Company,
Linonine Company,
Lippincott Steam Specialty and Supply Company,
Lisbon Construction Company,
Llenroc Farm Company,
Lobel Andrews Company,
Long Branch Passenger Company,
L. and S. Company,
L. Singer Cigar Company,
L'Union Industrielle,
Lynore Land Company,
Lyon and Son Manufacturing Company,
Mack's Business Brokerage,
Madison Laundry Company,
Mahler-Buehler Company,
Maine Line Oil Company,
Majestic Realty and Construction Company,
Malvern Land Company,
Manhattan Hand Laundry,

Manhattan and New Jersey Real Estate Company,
Mansfield Cigar Company,
Manufacturers Brass Company,
Marine Company,
Marine News Association,
Marion Development Company,
Marksboro Portland Cement Company,
Marlborough Company,
Mar-Mora Sales Company, Inc.,
Marple and Morgan, Limited,
Marshall Concrete Construction Company,
Marshall Realty Company,
Marshall-Robertson Company,
Marsh Printing and Embossing Company,
Marteau Realty Company,
Maryland Tin Plate Company,
Masonic Temple Company of Hackensack,
Matamoras Quarries Company,
Mattatuck Land and Improvement Company,
Maxwell Gypsum Paint Company,
May Clothing Company,
Maywood Heights Improvement Company,
Maywood Heights Realty and Building Company,
McConnell-Colyer Company,
McGirr Contracting Company,
M. C. Higgins Realty Company,
McNeel Consolidated Mines Company,
Mecca Market Company,
Mechanical Tire Company,
Mechanics Construction Company,
Meily Company,
Mercantile Co-operative Association of Morristown, N. J.
Mercer Improvement Company,
Merchants Coal and Railway Company,
Merchants Credit and Collecting System,
Merchants and Farmers Transportation Company,
Merchants Realty and Construction Company,
Merritt Johnson and Hannoch Company,

Metalizing Art Company,
Metal Specialty Company,
Metropolitan Bureau of Representation,
Mexican National Packing Company,
M. F. Beebe Company,
M. H. Murray, Incorporated,
Michael Hurley's Sons,
Middletown Manufacturing Company,
Milford Manufacturing Company,
Milbourne Lumber Company,
Miller Construction Company,
Milltown Terra Cotta and Fire-Brick Company,
Millville Amusement Company,
Millville Development Company,
Mines Exploiting Company,
Mines and Trading Investment Company,
Mitchell Sales Company,
Mitchell and Van Meter Company,
M. L. Ballard and Company,
M. and M. Steam Laundry Company,
Modern Investment and Relief Association,
Modern Moulding Company,
Modern Silk Machinery Company,
Moin Development Company,
Molascuit Cattle and Feed Company,
Monarch Realty Company,
Monarch Sewing Machine Company,
Monarch Toy Manufacturing Company,
Monitor Copper Mining Company, Limited, of New Jersey,
Mono Motor Car Company,
Montana Coal and Coke Company,
Montclair Jam Kitchens,
Montgomery Bowling Alleys, Incorporated,
Montrose Realty Company,
Montvero Realty Company,
Mooney Development Company,
Morgan Lumber Company,
Morris Coal Company,

Morris County Brick Company,
Morris County Construction Company,
Morris Sand and Concrete Block Company,
Morrison Export Import Slate Company,
Morrison and Lockrow Tent Village Company,
Morristown Laundry Company,
Morristown News Publishing Company,
Morse Process Company of Jersey City,
Morse and Walsh Company,
Morton Marine Motor Company,
Mosby Manufacturing Company,
Moses W. Crane Company,
Mosley Auction and Storage Company,
Motor Car Company of New Jersey,
Motor Commercial Delivery Company,
Mountain View Heights Realty Company,
Mrs. C. E. Kellner Preserving Company,
M. Simmerman Company,
Multiple Refining Company,
Munsing Motor Car Company,
Murray Power Company,
Murray Starr and Murray Company,
Mutual District Telegraph and Messenger Company,
Mutual Ice Company of Hoboken,
Mutual Incorporating and Financing Company, Inc.,
M. W. Taylor Amusement Company,
Myers Standard Manufacturing Company,
Nacozari Silver King Mine,
Nassau Land and Investment Company,
National Bag Company,
National Brake Shoe Company,
National Cedar Oil Company,
National Concrete Construction Company,
National Electric Welding Company,
National Endowment Company,
National File and Tool Company,
National Light and Manufacturing Company,
National Oat Crusher and Machine Company,

National Package Company,
National Park Improvement Company,
National Patent Leather Company,
National Realty and Construction Company,
National Sand Company,
National Tobacco Company,
Natural Gas Products Company,
Navajo Company,
Naylor and Newton,
Nazareth Quarry Company,
Na-Zo Company,
Nelson Manufacturing Company,
Nesler-Mackenzie Company,
Newark Burial Company,
Newark Color and Chemical Works,
Newark Electrical Contracting and Manufacturing Company,
Newark Extracting Company,
Newark Hat Company,
Newark Housefurnishing Company,
Newark Investment Association,
Newark and Nutley Realty Company,
Newark to Rahway Express and Livery Company,
Newark Ribbon and Carbon Company,
Newark Roman Stone Company,
Newark Safety Razor Company,
Newark Seal and Novelty Company,
Newark Siegwart Beam Company,
Newark Stair Rod Manufacturing Company,
New Century Novelty Company,
New Century Weather Strip Company,
New Corpus Christi Mining Company,
New Era Novelty Company,
New Jersey Adjustment and Collection Agency,
New Jersey Audit Company,
New Jersey Automatic Cigar Machine Company,
New Jeresy Bicycle Track Company,
New Jersey Building and Manufacturing Company,
New Jersey Can and Sheet Metal Company,

New Jersey Car and Equipment Company,
New Jersey Contracting Company,
New Jersey Contracting and Construction Company,
New Jersey Culm Furnace Company,
New Jersey Electric Company,
New Jersey Embroidery Works,
New Jersey Investment Company,
New Jersey Land and Construction Company of Passaic, N. J.,
New Jersey Land and Mortgage Company,
New Jersey Manufacturing Company,
New Jersey Medical Relief Company,
New Jersey Motor Company,
New Jersey and New York Real Estate Exchange,
New Jersey Oil and Meal Company,
New Jersey Organization Company,
New Jersey Pants Contracting Company,
New Jersey Preserving Company,
New Jersey Produce Company,
New Jersey Refinery, New York,
New Jersey Road Oil Company,
New Jersey Safe Company,
New Jersey Sanitary Shield Company,
New Jersey Sanitation Company,
New Jersey Seashore Steamboat Company,
New Philadelphia Bargain Store,
News Publishing Company of Roosevelt,
New York Belt Line and Warehouse Company,
New York Export and Import Company,
New York Hardware Company,
New York Land and Brokerage Company,
New York Metal Products Company,
New York and Newfoundland Lumber Company,
New York and New Jersey Cremation Company,
New York and New Jersey Furnace Company,
New York-New Jersey Land Company,
New York News Bureau,
New York Trading and Developing Company,
New York Zoological Company,

Night and Day Advertising Sign Company,
Nonpareil Cork Manufacturing Company,
Normandie Hotel Company,
North Jersey Amusement Company,
North Jersey Mercantile Collection Agency,
North Jersey Realty and Development Company,
North Seaside Park Hotel Company,
Northwest Produce Company,
Northwest Produce Company, Inc.,
Northwestern Association,
Northwestern Provision Company,
Norwood Suburban Home and Land Company,
Novelty Velvet Company,
Nutley Heights Realty Corporation,
Oak Park Hospital for Private Patients,
O. B. Van Camp Company,
Ocean City Pier Company,
Ocean Comfort Company,
Ocean Grove Times Company,
Ocean Home and Development Company,
Ocean Side Realty Company,
Oil Field Supply Company,
Old Home Realty Company,
Olvene Chemical Company,
Oonly Pure Food Company,
Orange Compressed Air-Vacuum Cleaning Company,
Orange Distilled Water Ice Company,
Overbrook Manufacturing and Quarry Company,
Palmetto Chemical Company,
Panama Street Railway Company,
Pandero Company,
Panhandle Construction Company,
Park Construction Company,
Parkell and Mueller Ink Company,
Parker-Bruen Manufacturing Company,
Passaic Column and Lumber Company,
Passaic and Garfield Construction Company,
Passaic River Building and Realty Company,
Passaic Valley Park Company,

Patent Sad Iron Manufacturing Company,
Paterson Baseball and Exhibition Company,
Paterson Consolidated Ice Company,
Paterson Construction Company,
Paterson Dye Works,
Paterson Horse Exchange Company,
Paterson Knitting Works,
Paterson Metal Stamping Company,
Paterson Refrigerating and Warehouse Company,
Paterson Toboggan Company,
Paul J. Wilk, Inc.,
Paulding Mining Company,
Pavonia Heights Land Company,
Pay-As-You-Enter-Car Co.,
Peerless Apron Company,
Peerless Match Company,
Peerless Pottery Company,
Peerless Realty and Building Company,
Penn Sales Company,
Pennsylvania Oil, Gas and Coal Land Development Company,
Pennsylvania Terminal Realty Company,
Peoples Building and Investment Company,
Peoples Funeral Company,
Perfect Metallic Wash-Tub Cover Company,
Perkins Land and Improvement Company,
Perth Amboy Fire Brick Company,
Perth Amboy Foundry and Machine Company,
Perth Amboy Hardware Company,
Perth Amboy Sale and Exchange Bazaar, Inc.,
Peter Petry and Sons Company,
Petrolia Manufacturing Company,
Phenix Manufacturing Company,
Philadelphia Art Metal Company,
Philadelphia College and Infirmary of Osteopathy,
Philadelphia Havana Company,
Philadelphia Hollow Concrete Column Company,
Philadelphia Picture Frame and Moulding Company,
Philadelphia Pneumatic Tool Company,

Philadelphia Riding Academy, Incorporated,
Philadelphia Sanitary Vending Company,
Philadelphia Sight-Seeing Corporation,
Philadelphia Steel and Copper Plate Company,
Philadelphia Suburban Publishing Company,
Philamona Violin Company,
Phoenix Light and Power Company,
Piano Player Company of N. J.,
Pianova Company,
Pine Brook Auto-Stage Company,
Pine Brook Butter Company,
Pine Lawn Springs Company,
Pinkerton Construction Company,
Pioneer Ore Sampling Company,
Pioneer Publishing Company,
Piscopo Italian Wine Company,
Pgh. Auto Delivery Company, Inc.,
Pittsburgh Tack and Nail Company,
Plainfield Auto-Bus Company,
Plainfield Auto Sales Company,
Pleasant View Poultry Farm Company,
Pneumatic Heel Cushion Company,
Porcela Radax Manufacturing Company,
Portaupeck Realty Company,
Potter Wall Paper Mills,
Poultney Development Company,
Powell Correspondence Schools,
Powell-Crocker Company,
Power Equipment Company,
Prentice Non-Acid Composition Company,
Preparatory School Company,
Profit Sharing Company,
Progressive Laundry Company,
Protective Home Building Association of Chatsworth, N. J.,
Publicker Cooperage Company,
Puerto Plata Wharf and Storage Company,
Pure Food Supply Company,
Purity Plate Ice Company,

New Jersey State Library

Pythian Co-operators of New Jersey,
Quaker City Funeral Fund,
Quinn-Ballantine Advertising and Publishing Company,
Radium Silk Finishing Company,
Rahway Manor Development Company,
Railroad and Car Material Company, Inc.,
Rainbow Cigar Stores Company,
Ramage Company,
Ramsey Manufacturing Company,
Raritan Bay Realty Company,
Raritan Creamery Company,
Ravinewood Estates,
Rawson Talking Machine Company,
Realty Development Company (No. 2),
Realty and Investment Company of N. J.,
Realty Investment and Development Company,
Record Development Company,
Record Printing Company,
Red Bank Realty Company,
Red Cross Pharmacy of Paterson, N. J.,
Red Cross Ventilator Company,
Regal Tire and Rubber Company,
Regealed Ice Manufacturing Company,
Reitman Realty Company,
Reliable Furniture Company,
Reliable Half Hundred Associates, Incorporated,
Reliable New Idea Laundry and Supply Company,
Reliable Winding and Warping Company,
Reliance Rubber Manufacturing Company,
Resilient Spring Hub Company,
Resort Realty Company,
Retailers Protective Agency,
Retlaw Sales Company,
Rex Beauty Specialists,
Rey Ribbon Company,
R. H. Handy Company,
Richard M. More Glass Company,
Richmond Guarantee Investment Company,
Ridgeway, Quarry and Sand Company,

Ridgewood Land Company,
River Front Power and Irrigation Company,
Riverside Rubber Company,
Riviera Estates Corporation,
R. M. Pierce Printing Company,
Robert Taylor and Son's Brass Founders,
Robert Weigel Realty Company,
Robeson Company,
Rockaway Company,
Rock Spring Creamery Company of Montague, Sussex County, N. J.
Rocky Hill Construction Company,
Rodney S. Pullen Manufacturing Company,
Rogers Alcohol Utilities Company,
Ronda Paper and Linen Mills, Inc.,
Roosevelt Publishing Company,
Roscoe Chemical Institute,
Roselle Pants Manufacturing Company,
Roseville Associates,
Rowland and Brown Engineering and Supply Company,
Rowland Telegraphic Company,
Royal Art Company,
Royal Cleaning and Dyeing Company,
Royal Cutlery Company,
Royal Garage and Taxicab Company,
Royal Remedy Manufacturing Company,
Royal Typewriter Company,
Rubber B. B. Company,
Rubber Substitute Company,
Ruric Hotel Company,
Rutherford Land Company (No. 1),
Rutherford Transit Company,
Safety Realty Company,
Saisselin Farm Company,
Sand-Lime Brick Company,
Sanigenic Company,
Sanitary Electric Cleaning Company,
Sanitary Grocery Company, Inc.,
Sanitary Vacuum Cleaning Company,

Santa Ana Industrial Company,
Santa Clara Raw Sugar Company,
Santa Cruz Plantation Company,
Sarasota Land Company,
Saunders Dairy Company,
S. B. Carson Company,
S. B. Ellis Company,
Scenic Advertising Table Company, Ltd.,
Schattmaier Floral Company,
Schrenk and Company,
Schroeder Company,
Schute Te Schute Amusement Company,
Scientific Farming and Improvement Company,
Scientific Waterproofing Engineering Company of New Jersey,
Scott Fountain Pen Company,
Scott Pharmacal Company,
Scranton Throwing Company,
Seaboard Engineering and Construction Company,
Seaboard Navigation Company,
Seaboard Structural Works,
Sea Haven Company,
Seal and Moore Company,
Sea Side Amusement Company,
Sea Side Park North Company,
Securities Investment Company,
Security Mining Corporation,
Seiple-Gochenam Manufacturing Company,
Senn Manufacturing Company,
Seventeenth Avenue Land Company,
Sewaren Company,
S. and F. Investment Company,
S. and G. Importing Company,
Shamo Novelty Company,
Shapiro Furniture Company,
Sheep Shearing Machinery Company,
Shrewsbury Poultry Farm, Incorporated,
Shrewsbury River Development Company,
Siegfried Supply and Construction Company,

Silodor Company,
Sirota-Kronenberg Sash and Door Company,
Siskiyou Lumber and Development Company,
S. L. Lane Company, Inc.,
Smith and Cook Deep Sea Fishery,
Solar Light Company,
Somerset Pharmacy,
Somerville Clothing Company,
South Farm Company,
South Florida Grape Fruit Company,
Southern Mining Corporation,
Southern States Cotton Oil Refining Company,
Sovereign Foundry and Manufacturing Company,
Speirs Silk Company,
Spiral Riveted Tube Company,
Spotswood Explosive Company,
Spring Brook Manufacturing Company,
Spring Dell Association,
Spring Garden Brick Company,
S. S. Cook Machine Company,
Stair Lift Company,
Standard Ejector Company,
Standard Electric Accumulator Company of New Jersey,
Standard Filtering Company,
Standard Home Investment Company,
Standard Lighting Appliance Corporation,
Standard Lock Nut and Bolt Company,
Standard Lumber Company,
Standard Mica Company of North Carolina,
Standard Preservative Company,
Standard Roofing and Flooring Company,
Standard Securities Company,
Standard Segar Company,
Standard Stock and Grain Dealers,
Standard Stopper Company,
Standard Truck Manufacturing Company,
Standard Tunnel Bridging Transportation Company,
Standard Veneer Barrel Company,
Standard Woodworking Company,

Stanley Golliek Company,
States Garage Corporation,
Steinlein Remedy Company,
Stein Manufacturing Company,
Sterilized Milk Export Company.
Sterling Construction Company,
Sterling Gas Machine and Manufacturing Company,
Sterling Vehicle Company,
Stevenson Rye and Company,
Stilson-McCann Real Estate Company,
Stobaugh Lamont Construction Company,
Stone Canon Construction Company,
Stone Fish Company,
Stone Harbor Construction Company,
Stone Products Company,
Stoyle Vogel Auto Company,
Stromberg Electric Manufacturing Company,
Structural Supply Company,
Struyk Grain Company,
Sub Surface Torpedo Boat Company,
Suburban Estates Corporation,
Suburban Homes Company,
Suffolk Securities Company,
Summit Realty Company,
Sunderman Machine Company,
Supply and Construction Corporation,
Suprema Manufacturing Company,
Susquehanna Fire Clay Company,
Sussex Construction Company,
Sussex Mills,
Swaying Pine Company,
S. W. Wickens Company,
Tabor Heights Realty Company,
Talk Publishing Company,
Taurus Improvement Company,
Taurus Realty Company,
Telegraphatype Company,
Temple Building Company,
Tennis Club Realty Company,

Terra Cotta-Concrete Building Company,
Texas and Louisiana Oil and Development Company,
Textile Rubber Company,
Thomas J. Brogan Company,
Thomas J. McLaughlin, Incorporated,
Thomas Shepherd Company,
Thompson Company,
Thurles Silk Mills,
Tidewater Company,
Tiffany Safety Razor Company,
Tiger Lily Mining and Milling Company,
Toch Tile Company,
Toltec Gem Mining Company,
Tomb Lumber Company,
Toms River Ice Company,
Toms River Realty Company,
Traction Development Corporation,
Tractor Engineering Company,
Trans-Alaska-Siberian Railway Company,
Travers Twine and Cordage Company,
Travis Yarn Company,
Tremley Construction Company,
Trenton Baseball Club,
Trenton Garment Company,
Trenton Rubber Manufacturing Company,
Triad Machine Company,
Trinity Construction Company,
Trinity Contracting and Supply Company,
TriState Company,
Trowbridge and Niver Company,
Trustee Company of New Jersey,
Tuder, Gandel and Science, Inc.,
Tunison Amusement Enterprises,
Twin City Ice and Coal Company,
Tytus Gardner Paper and Manufacturing Company,
Underwriters Contract Company,
Underwriters Funding Company,
Ungava Fur Company,
Union Beef Company,

Union Cafe Company,
Union Coal Tar and Chemical Company,
Union County Contracting Company,
Union General Agency Company,
Union Hill Mystic Chute Company,
Union Iron Works,
Union Marble and Mantel Company,
Union Motor Car Company,
Union Saw Company,
Union Township Electric Company,
Unit Improvement Company,
United Agencies Company,
United Barber Towel Supply Company,
United Beverage Improvement Company of N. J.,
United Beverage Improvement Company of N. Y.,
United Bottlers Association of N. J.,
United Candy Stores Company,
United Decorators Company,
United Electric Smelters,
United Mechanics Construction Company,
United Mining Company,
United North and South Plantation Company,
United Optical Company,
United Public Service Company,
United Realty and Exchange Company of Irvington,
United Silver Company,
United Underwriters Company,
United Woolen Mills Company,
United States American Patrol Company,
United States Confectioners' Machinery and Supply Company,
United States Drying Engineering Company,
U. S. Naval Tailoring Company,
U. S. Rubber Reclaiming Works,
United States Supply Company,
Universal Contracting and Heating Company,
Universal Foundry Company,
Universal Paper Bag Company,
Universal Seal and Stopper Company,

Universal Supply and Manufacturing Company,
Uptown Polish Realty Company,
Vacuum Aseptic Sweeper Company of New Jersey,
Vacuum Lamp Company,
Vacuum Securities Company,
Valentine Lumber Company,
Valentino and Company,
Vanda Company,
Vanderbilt Realty Company,
Vega Suit Case and Bag Company,
Venturi Alarm Company,
Vertex Fastener Company,
Victor Company,
Victoria Hotel Company,
Viennot Advertising Agency, Inc.,
Villa Realty Company,
Vinton Company,
Vreeland Realty Company,
Vulcan Brazing and Machine Company,
Walden W. Shaw Company,
Walker Patent Pivoted Bin Company,
Waller Motor Company,
Walter Automobile Company of New Jersey,
Walter D. Prouse Company,
Walter E. Isetts and Company,
Walter H. Haelne Company, Inc.,
Walter M. Tolman,
Walters Trinidad Brewing Company,
Warner Baking Powder Company,
Washington Marble Company,
Washington Trading Company,
Water Front Improvement Company,
Waukesha Clear Rock Water Company,
Wayne Hotel Company,
W. C. Luther Company,
Weierbach Brake Shoe and Manufacturing Company,
Wells Manufacturing Company,
Welsh Brothers Amusement Company,
Werner Company,

West Englewood Land and Improvement Company,
West Hudson Investment Company,
West Jersey Manufacturing Company,
West Manhattan Realty Company,
West Newark Hay and Grain Company,
West Shore Bill Posting Company,
Western Mortgage and Loan Company,
Western Net Manufacturing Company,
Western Sash Door and Lumber Company,
Western Wood Products Company,
Westlake Ice Company,
Westwood Masonic Building Association,
W. Gibbs Bain Company,
Wheelock Land Company,
W. H. Hall Puritan Ink and Pad Company,
White Catering Company of New Jersey,
White City Hotel Company,
White Cross Milk Company of Pittsburgh,
White Realty Company,
Wiederhold Manufacturing Company,
Wilkie Publishing Company,
Wm. A. Evans Company,
William C. Finck Company,
William E. Simpson, Publisher,
William Fox Cigar Company,
Wm. F. Simes and Son Company,
William Harrigan, Incorporated,
William H. King Company,
William O. Miller, Inc.
William R. Hande Company,
Williams Supply and Manufacturing Company,
Williams and Winn Company,
Williamstown Brick Company,
Wilmot Coal Company,
Wilson-Hoyt Company,
Wilsons Market,
Winans Company,
Windy Land and Building Company of Paterson, N. J.,

Winslow-Schreyer-Wilson Company,
Winston Parish Company,
Wittel Brothers,
Witthoefft Collapsible Steel Forms Company,
Woodbine Beef Company,
Woodbine Hat Company,
Woodbury Patent Leather Company,
Wood Company,
Woodlawn Realty Company,
W. P. Catlin Glass Works,
W. P. Russell Company,
Wright Amusement Company, Inc.,
W. S. Clearwater Plumbing and Heating Company,
W. T. Gregory and Company,
W. and W. Amusement Company,
W. W. Webster Company,
Yankee Fishing Reel Company,
Y. and B. Manufacturing Company,
Young's Stock Food Company,
Zeo Baths Company, Incorporated,
Zephyr Ventilator and Manufacturing Company,

are repealed, and all powers conferred by law upon such corporations, and each of them, are hereby declared inoperative and void.

In witness whereof, I have hereunto set my hand and caused the Great Seal to be affixed, at Trenton, this tenth day of March, one thousand nine hundred and thirteen.

JAMES F. FIELDER,
President of the Senate, Acting Governor.

[GREAT SEAL]

DAVID S. CRATER,
Secretary of State.

Filed March 10, 1913.

DAVID S. CRATER,
Secretary of State.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, WILLIAM HUGHES was, at the general election held on the Tuesday next after the first Monday in November, in the year nineteen hundred and ten, elected by the voters of the Sixth Congressional District to represent this State in the House of Representatives of the United States and subsequently duly qualified himself as such representative; and after such election and qualification, to wit, on the twenty-seventh day of September, nineteen hundred and twelve, did resign as such member of said House of Representatives, thereby causing a vacancy to exist in the representation of this State in the House of Representatives of the United States,

THEREORE, I, WOODROW WILSON, Governor of the State of New Jersey, pursuant to law, do hereby issue this my proclamation, directing that an election be held according to law in said Congressional District, on Tuesday, the fifth day of November, next ensuing the date hereof, for the purpose of electing a member of the House of Representatives to fill the vacancy caused by the resignation of the said William Hughes.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, the thirtieth day of September, in the (Seal) year of our Lord nineteen hundred and twelve, and of the Independence of the United States, the one hundred and thirty-seventh.

WOODROW WILSON,
Governor.

By the Governor,
DAVID S. CRATER,
Secretary of State.

A PROCLAMATION BY THE GOVERNOR.

The National Association for the Study and Prevention of Tuberculosis has decided upon October 27 as National Tuberculosis Day. Such inroads upon life are made by tuberculosis that in the United States two hundred thousand deaths annually are caused by it. Experts state that one-half of all who die between the ages of eighteen and forty-five are victims of tuberculosis, but no repetition of figures, no emphasis of speech, no words of warning can add to the horror and terror and responsibility which, in the public mind, attach to the gruesome devastations of this disease. Peoples, public and private, who do not perform every act within their power to check this scourge are almost guilty of negative murder.

It is not enough to segregate victims, to be cleanly, to prevent infection by sanitary methods in the destruction of sputum and otherwise. Tuberculosis will not be arrested until the race is built stronger, until the reserve force that resists attacks of disease is greater and more potent. The cause of tuberculosis as well as its prevention must be studied. The conditions that make for the weakening of the race must be remedied. As long as there are lowly and congested quarters in cities; as long as people are badly fed and overworked; as long as the working classes are improperly housed both during their work and resting hours, the human race will continue to weaken. The vital energies of mankind must not be dissipated. When these things are checked by moral and legal rules of discipline, the greatest blow will be given to tuberculosis and kindred enemies of life.

The situation calls for such grave consideration that I deem it my public duty to officially emphasize the value of united effort in this direction.

THEREFORE, I, WOODROW WILSON, Governor of the Commonwealth of New Jersey, in the name of and for the people of New Jersey, do issue this Proclamation and urge the observance of October 27, 1912, as Tuberculosis Day.

Given under my hand and seal, this twenty-fifth day of October, in the year of our Lord, one thousand nine hundred and twelve, and of the Independence of the United States the one hundred and thirty-seventh.

(Seal)

WOODROW WILSON,
Governor.

By the Governor:
DAVID S. CRATER,
Secretary of State.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

THANKSGIVING PROCLAMATION.

Another year of peace and prosperity has passed by. The life of the State and of the Nation has been undisturbed by war or pestilence or disaster of any kind. We have been free to choose our own ways, and have gone through the varied action of a great political campaign without violence or passion. The hope of our people has risen with the increase of their life, and God has been very gracious to us in all His dealings.

THEREFORE, I, WOODROW WILSON, Governor of the State of New Jersey, do designate Thursday, the twenty-eighth day of November, instant, as a day to be observed for general thanksgiving and prayer, and upon that day I recommend that all business cease and that the people gather in their respective churches and other places for public worship, or in their homes in private, to make fitting acknowledgment to Almighty God of His unbounded benefactions to us as Nation, State and individuals.

Given under my hand and seal at the Executive Chamber, in the City of Trenton, this fourteenth day of November, in the year of our Lord, one thousand nine hundred and twelve, and of the Independence of the United States the one hundred and thirty-seventh.

(Seal)

WOODROW WILSON,
Governor.

By the Governor:
DAVID S. CRATER,
Secretary of State.

PROCLAMATION OF THE ACTING GOVERNOR OF THE STATE OF NEW JERSEY.

WHEREAS, it has been made known to me by the Honorable William J. Crossley, Prosecutor of the Pleas of the County of Mercer, in the State of New Jersey, that on the third day of December, instant, Luella Marshall was feloniously assaulted in the Township of Ewing, in the County of Mercer and State of New Jersey, and that by reason of said assault the victim thereof subsequently languished and died, on the tenth day of December, instant, from the effects of said assault, whereby the crime of murder has been committed; and

WHEREAS, a complaint has been duly made upon the oath of James S. Kirkham, one of the County Detectives in and for said County of Mercer, charging one John Doe with the said crime of murder; and

WHEREAS, the said Prosecutor of the Pleas has made application to me for the issuance of a Proclamation offering a reward for the apprehension and conviction of the person or persons guilty of said crime of murder;

NOW, THEREFORE, I, JOHN D. PRINCE, President of the Senate and Acting Governor of the State of New Jersey, and the person at present administering the government thereof in pursuance of the power and authority vested in me by the provisions of section twenty-nine of an act of the Legislature of this State entitled "An act relative to courts having criminal jurisdiction, and regulating proceedings in criminal cases (Revision of 1898)," approved June fourteenth, one thousand eight hundred and ninety-eight, do hereby offer a reward of One Thousand Dollars for the apprehension and conviction of the said John Doe, or the person or persons, now unknown, guilty of the

crime of murder as aforesaid, said reward to be paid to the person or persons entitled thereto in the manner directed by the statute aforesaid.

Given under my hand and seal, at the Executive Chamber, in the City of Trenton, this twelfth day of December, in the year of our Lord, one thousand nine hundred and twelve, and of the Independence of the United States, the one hundred and thirty-seventh.

(Seal)

JOHN DYNELEY PRINCE,
President of the Senate, Acting Governor, Administering the Government.

Attest:
JOSEPH P. TUMULTY,
Secretary to the Governor, and, in virtue thereof, Secretary to the President of the Senate, Acting Governor and the Person Administering the Government.

A PROCLAMATION BY THE GOVERNOR OF THE STATE OF NEW JERSEY.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, the Supreme Court of the State of New Jersey, by its decree recorded at large in the minutes of said Court on the twenty-sixth day of November, A. D. nineteen hundred and twelve, and filed by the Clerk of said Court in his office as Clerk of said Court, did order, adjudge and decree that an act of the Legislature of the State of New Jersey, entitled "An act to amend an act entitled 'An act concerning public utilities; to create a Board of Public Utility Commissioners, and to prescribe its duties and powers,' approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings, and the payment of the costs thereof," and known as Chapter 412 of the Session Laws of 1912, to be found on page 914 of the pamphlet laws of that year, was null and void; and

WHEREAS, after the recording and filing of the decree aforesaid the said Clerk of the Supreme Court did make a true copy thereof and certify the same under his hand and the seal of the Supreme Court, and deliver the said copy so certified to me, the Governor of this State;

THEREFORE, I, WOODROW WILSON, Governor of the State of New Jersey, in pursuance of the power and authority vested in me by an act of the Legislature of this State entitled "An act providing for decreeing and making known that certain laws and joint resolutions have become inoperative and void," approved March third, eighteen hundred and seventy-three, do hereby issue this, my proclamation, under the Great Seal of the State, by which I hereby set forth and declare that the decree aforesaid is as follows:

NEW JERSEY SUPREME COURT.

In the matter of the petition of the Attorney-General praying that "An act to amend an act entitled 'An act concerning public utilities, to create a Board of Public Utility Commissioners, and to prescribe its duties and powers,' approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings, and the payment of the costs thereof," and published as chapter 412 in the Session Laws of the present year, be decreed to be null and void.

On Petition, &c., DECREE.

This matter coming on to be heard before the Supreme Court (Chief Justice Gummere and Justices Garrison, Swayze, Trenchard, Parker, Bergen, Voorhees, Minturn and Kalisch sitting), at the State House, in the City of Trenton, at the June Term, A. D. nineteen hundred and twelve, in the presence of Edmund Wilson, Attorney-General, petitioner, and Carlton B. Pierce, attorney at law, and a citizen of the State of New Jersey, by whom an answer was filed, and of Edward F. Merrey, opposing said petition and acting as attorney for the City of Paterson, and the petition, answer and proofs having been read, and the arguments of respective counsel having been heard, and the court having considered said petition, answer, proofs and arguments, and it appearing to the court that the petitioner is entitled to the relief sought and prayed for by him in said petition,

It is, by virtue of the power and authority vested in this court by an act of the Legislature entitled, "An act providing for decreeing and making known that certain laws and joint resolutions have become inoperative and void," approved March third, eighteen hundred and seventy-three, ordered, adjudged and decreed that an act of the Legislature of this State entitled "An Act to amend an act entitled 'An Act concerning Public Utilities; to create a Board of Public Utility Commissioners, and to prescribe its duties and powers,' approved April twenty-first, one thousand nine hundred and eleven, by adding a section concerning the safeguarding and removal of railroad crossings, and the payment of the costs thereof," and known as Chapter 412 of the Session Laws of nineteen hundred and twelve, to be found on page 914 of the pamphlet laws of that year, is null and void.

WM. S GUMMERE, C. J.

Dated, November 21, 1912.
Entered, November 26, 1912.

On motion of
EDMUND WILSON,
Attorney-General.

(Seal)

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, New Jersey, this twenty-first day of January, in the year of our Lord, one thousand nine hundred and thirteen, and of the Independence of the United States the one hundred and thirty-seventh.

WOODROW WILSON,
Governor.

By the Governor:
DAVID S. CRATER,
Secretary of State.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.
Trenton, April 14, 1913.

WHEREAS, the one hundred and thirty-seventh session of the Legislature of the State of New Jersey has adjourned sine die, without passing measures providing for reform in the method of drawing grand and petit juries, or for the calling of a constitutional convention to consider changes proposed to the Constitution of our State; and

WHEREAS, laws passed by previous Legislatures relating to the government of counties by small boards of freeholders have been declared unconstitutional by our courts, and the bill passed at the recent session to meet the situation thus created was of doubtful validity, and therefore did not receive Executive approval; and those counties which have registered their desire to govern their affairs through a small board, are entitled to prompt relief; and

WHEREAS, these subjects are of the highest importance to the people of our State and, in my judgment, public necessity requires the convening of the Legislature to consider them at a special session, at which no other matters need be taken up and the undivided attention of the Legislators can be devoted to the proper and effective solution of such problems;

THEREFORE, I, JAMES F. FIELDER, President of the Senate, Acting Governor of the State of New Jersey, by virtue of the power vested in me by the Constitution, do convene the Legislature of this State, hereby requiring the Senate and the Members of the House of Assembly to meet to their respective chambers at the State House, in the

City of Trenton, on Tuesday, the sixth day of May next, at twelve o'clock noon.

In Testimony Whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed at Trenton, this fourteenth day of April, nineteen hundred and thirteen.

(Seal)

JAMES F. FIELDER,
President of the Senate, Acting Governor.

Attest:
DAVID S. CRATER,
Secretary of State.

PROCLAMATION.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Lewis J. Martin was, at the General Election held on the Tuesday next after the first Monday in November, in the year one thousand nine hundred and twelve, elected by the voters of the Sixth Congressional District to represent this State in the House of Representatives of the United States, and subsequently duly qualified himself as such representative, and after such election and qualification, to wit, on the sixth day of May, one thousand nine hundred and thirteen, departed this life, thereby causing a vacancy to exist in the representation of this State in the House of Representatives of the United States;

THEREFORE, I, JAMES F. FIELDER, President of the Senate, Acting Governor of the State of New Jersey, pursuant to the law, do hereby issue this my Proclamation, directing that a special primary election be held according to law in said Congressional District on the eighth day of July next ensuing the date hereof, for the purpose of nominating persons thereafter to be voted for at a special election hereinafter referred to, held for the purpose of electing a member of the House of Representatives to fill the vacancy caused by the death of the said Lewis J. Martin; and in like manner and for like cause I do hereby issue this my Proclamation, directing that a special election be held according to law in said Congressional District, on the twenty-second day of July next ensuing the date hereof, for the purpose of electing a member of the House of Representatives to fill the vacancy caused by the death of the said Lewis J. Martin, from such persons as may have been

legally nominated, or may be legally entitled to be voted for, as candidates to fill the said office.

Given under my hand and the seal of the State of New Jersey, at Trenton, this twenty-ninth day of May, in the year of our Lord, one thousand nine hundred and thirteen, and of the Independence of the United States the one hundred and thirty-seventh.

(Seal)

JAMES F. FIELDER,
President of the Senate, Acting Governor.

By the Governor:
DAVID S. CRATER,
Secretary of State.

Decrees of Dissolution.

Decrees of Dissolution.

IN CHANCERY OF NEW JERSEY.

In pursuance to the provisions of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State.

Name.	*Filed.*
Newark Leather Innersoling Manufacturing Company	March 9, 1912
Rochester Gold Mining Company	May 22, 1912
Garwood Electric Company	Nov. 9, 1912
Daly Hat Company	Dec. 4, 1912
Ice Consumers & Supply Company	Dec. 14, 1912
Corbett Supply Company	Dec. 26, 1912
American Hat Leather Company	Jan. 3, 1913
New Jersey Roofing and Construction Company	Jan. 29, 1913
State Street Garage Company	Jan. 29, 1913
Weehawken Lumber Company	May 29, 1913

Change of Corporate Title of Cities.

(905)

Change of Corporate Title of Cities.

In pursuance to the provisions of Chapter 200 of the Laws of 1911, the following changes of corporate titles of cities have been filed in the office of the Secretary of State:

"The Mayor and Council of the City of Woodbury" changed to "City of Woodbury," July 25, 1912.

"The Mayor and Common Council of the City of Millville" changed to "City of Millville," June 20, 1913.

New Jersey State Library

PROCLAMATION BY THE GOVERNOR

(909)

Proclamation by the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, A dispute has arisen as to the adoption by the City of Jersey City, of an act entitled "An Act relating to, regulating and providing for the government of cities, towns, boroughs and other municipalities within this State", approved April twenty-fifth, nineteen hundred and eleven, and the acts supplementary and amendatory thereto, which may result in confusion in municipal affairs, not only in said city, but in other municipalities where said act is assumed to have been adopted, and the situation thus presented is, in my judgment, of sufficient public importance to require submission to the Legislature for its consideration;

THEREFORE I, JAMES F. FIELDER, President of the Senate, Acting Governor of the State of New Jersey, by virtue of the power vested in me by the Constitution, do convene the Legislature of this State, hereby requiring the Senate and the Members of the House of Assembly to meet in their respective chambers at the State House, in the City of Trenton, on Tuesday, the fifth day of August next, at eleven o'clock in the forenoon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed at Trenton, this twenty-ninth day of July, nineteen hundred and thirteen.

[GREAT SEAL]

JAMES F. FIELDER,
President of the Senate, Acting Governor.

Attest:
DAVID S. CRATER,
Secretary of State.

SECOND SPECIAL SESSION OF THE LEGISLATURE.

Acts Passed by the Second Special Session of the Legislature.

Convened August 5, 1913.

CHAPTER 1.

An Act concerning the burden and extent of proof in proceedings on information in the nature of quo warranto heretofore or hereafter exhibited or filed by the Attorney General by virtue of his office to ascertain by what right or warrant of law any person or persons hold any public office or offices.

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

1. On the trial, hearing and argument of any proceeding on information in the nature of quo warranto heretofore or hereafter exhibited or filed by the Attorney General by virtue of his office to ascertain by what right or warrant of law any person or persons hold any public office or offices, it shall be the duty of and incumbent upon the Attorney General at the trial of the issue or issues joined on any such information to prove affirmatively all the facts averred or alleged in such information and not admitted in the answer or plea thereto, and the defendant or defendants, or respondent or respondents, named in said information shall not be required to offer any evidence until such facts are proven, and then shall be required to controvert only such facts so proven.

Duty of Attorney General to prove alleged facts.

2. This act shall take effect immediately.

Approved August 12, 1913.

CHAPTER 2.

An Act to validate and confirm any election or elections heretofore held for the adoption or rejection of an act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, where the ballots cast for members of the General Assembly at the last preceding general election therein have been lost or destroyed.

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

Validating municipal election, notwithstanding absence of ballots cast at preceding election.

1. Whenever the act entitled "An act relating to, regulating and providing for the government of cities, towns, townships, boroughs, villages and municipalities governed by boards of commissioners or improvement commissions in this State," approved April twenty-fifth, one thousand nine hundred and eleven, has heretofore been submitted to the voters of any city, town, township, borough, village or municipality governed by a board of commissioners or improvement commission for adoption or rejection, and it appears, after such submission for adoption or rejection, that the ballots used at the last general election in any such city, town, township, borough, village or municipality governed by a board of commissioners or improvement commission immediately preceding such election for the adoption or rejection of said act were lost or destroyed, the said act nevertheless shall be deemed to have been adopted by such city, town, township, borough, village or munici-

pality governed by a board of commissioners or improvement commission, provided the majority of the votes cast at such election were in favor of the adoption of such act. Proviso.

2. This act shall take effect immediately.

Approved August 12, 1913.

INDEX

INDEX

A.

PAGE

Absecon inlet—appropriation for deepening, ... 615
Accidents—instruction in preventing, ...407, 508
Accounts—department of abolished, ... 650
Acts repealed—additional compensation to chancellor and justices of supreme court, ... 774
descent of real estate to mother, ... 408
giving bonds by members of public bodies, ... 19
granting riparian lands for parks, ... 263
maintenance of indigent patients, ... 22
parks in certain counties, ... 356
Passaic armory, ... 523
process server in counties of second class, ... 380
section 12 of public utility law, ... 763
section 18 of State highway act, ... 231
sections of school law, ... 757
sundry acts relative to Martin act, ... 419
supplement to act regulating practice of medicine, etc.,..... 678
Administrators—legal investments, ... 447
Advertisements—fraudulent representations a misdemeanor, ... 649
placing circulars, etc., in papers, etc., without consent a misdemeanor, ... 653
unfair trade practices, ... 377
validating sales of real estate, ... 55
Aeroplanes—regulating aviation exhibitions, ... 84
Agencies—motor vehicle, ... 739
trust companies, ... 223
Agricultural lime—regulating sale, ... 321
Agriculture—farm demonstrations, ... 785
Air guns—prohibition, ... 339
Air ships—regulating aviation exhibitions, ... 84
Aldermen—see common council.
Aliens—commission of immigration, ... 143
Amendments to United States Constitution—election of senators, ... 794
tax on incomes, ... 793
Amusements—golf balls not to contain acid, ... 584
regulation by board of commissioners, ... 197
Animals—protection of fur-bearing, ... 201
Anniversaries—emancipation proclamation, ... 142
municipal, ... 624
Annual appropriation bill, ...678, 819, 825, 826

Appropriations—Absecon inlet, ... 615
annual, ...678, 819, 825, 826
armory in Camden, ... 95
armory in Orange, ... 94
armory in Salem, ... 410
care of certain roads, ... 536
commission on mental defectives, ... 797
commission on motor vehicle legislation, ... 793
commission to investigate taxing methods, ... 53
department of archives, ...825, 826
farm demonstrations in agriculture, ... 785
Fort Nonsense Park, ... 435
game farm and hatchery, ... 88
heating plant for house of detention at Trenton asylum,... 816
incidental bill, ...524, 790
Kearny reimbursed for sewer, ... 104
land for employment of prisoners, ... 588
monument to commemorate founding town of Bergen, ... 654
Passaic armory repealed, ... 523
permanent improvement of roads, ... 643
presidential inaugural ceremonies, ... 24
Rahway reformatory, ... 764
Red Bank armory, ... 40
reformatory for women, ... 54
relief of Franklin Titus, ... 367
relief of John F. Conover, ... 585
relief of William B. Turner, ... 87
restoration fund, ... 198
salaries of officers of the legislature, ... 11
San Francisco fair, ... 759
services of Bernard L. Stafford, ... 790
Shark river inlet, ... 373
statue at grave of Gen. Philip Kearny, ... 796
summer schools, ... 630
supplemental, ...537, 807, 808, 821, 824
supplemental digest of laws and equity reports, ... 763
vocational schools, ... 595
Washington Rock Park, ... 224
Architecture—revocation of license, etc., ... 236
Archives—appropriations, ...825, 826
department of, ... 325
Armories—Camden, ... 95
county, ... 502
Orange, ... 94
Passaic, ... 523
Red Bank, ... 40
Salem, ... 410
Arrearages of unpaid taxes—provisions of Martin act extended, ... 417
Artesian wells—cities may obtain water from, ... 208
Assemblymen—list of, ...6, 7
Assessments—appropriation to commission to investigate method of making, 53
commissioners in cities having less than 12,000, ... 269
exemption of schools, churches, etc., ... 570

PAGE
Assessments—procedure concerning sewers in cities, ... 827
procedure concerning streets in cities, ... 827
provisions of Martin act extended, ... 417
review, by board of equalization, ... 788
Assessors—board of, in villages, ... 50
review of tax assessments by board of equalization, ... 788
Assistant attorney-general—appointment of second, ... 222
Assistant geologist—designation of, ... 98
Assistant probation officers—in counties of first class, ... 140
Asylums—commitment of insane, ... 449
pay for indigent patients, ... 328
Attendance at school—compulsory, ... 399
Attorney-general—proof in quo warranto, ... 915
second assistant, ... 222
Attorneys—must be licensed, ... 358
notice of trial in courts of law, ... 642
Auctioneers—licensed in cities of first class, ... 263
Automobiles—agents, ... 739
destruction of records, ... 152
display lights, ... 144
display of markers, ... 146, 268
drivers licensed, ... 738
fees in motor vehicle proceedings, ... 160
horse power rating, ... 741
illegal markers, ... 151
inspectors, ... 146, 481
intoxicated drivers, ... 103
judicial powers of commissioner, ... 746
non-resident's license, ... 149
power of arrest, ... 186
prosecutions for violations, ... 159
records indexed, ... 747
summoning witnesses, ... 742
use on roads and bridges, ... 779
Avenues—see streets.
Aviation exhibitions—regulating, ... 84

B.

Bail—police sergeants may take, ... 776
Balls—golf, not contain acid, ... 584
Banking—agencies of trust companies, ... 223
officials not to ask or receive favors, ... 212
proceedings affecting unsound banks, ... 291
proceeding affecting unsound trust companies, ... 282
transmitting money to foreign countries, ... 167, 169
Banks—proceedings affecting unsound, ... 291
legal investments for savings, ... 439
Baskets—capacity of, ... 125
Bass—protection of, ... 447
season for, ... 89
size of, ... 319

PAGE

Baths—control in cities of first class by playground commission, ... 139
Beach front—additional powers conferred on cities having, ... 20
Beach Haven—part of Long Beach township annexed, ... 420
Bergen, town of—monument to commemorate founding, ... 654.
Berkeley, township of—incorporation of Seaside Heights, ... 44
Bills of lading—uniform law, ... 244
Birds—carrier pigeons protected, ... 200
decoying with grain, ... 57
destruction of starling, ... 620
field days for dogs, ... 186
license to operate game farms, ... 232
open season, ... 262, 812
propagation of game and fish, ... 88
pursuit of water wild fowl, ... 115
sale of certain, as food prohibited, ... 215
sale of eggs of game, ... 141
unlawful to take certain game, ... 194
validity of prosecutions, ... 235
Bloomfield Theological Seminary—name changed from German Theological School, ... 502
Blue routes—state highway commission to take over certain roads, ... 536
Board of assessors—in villages, ... 50
Board of children's guardians—widows' pensions, ... 578
Board of commissioners—amendments to commission government act, ... 836
certain boards abolished, ... 581
liability of employers, ... 230
passage of ordinances, ... 323
regulate use of assembly buildings, ... 197
validating election held under act relating to cities, etc., ... 916
work in towns done by contract, ... 363
Board of education—instruction in preventing accidents, ... 407, 508
issue bonds to redeem notes, ... 210
issue of school bonds by districts, ... 93
liability of employers, ... 230
money for lands or buildings in cities, ... 476
special schools for delinquent children, ... 749
summer schools, ... 630
use of school houses, ... 629
vocational schools, ... 595
Board of equalization of taxes—municipal map, ... 314
review of tax assessments, ... 788
Board of examiners—how composed, ... 475
Board of fish and game commissioners—see fish and game.
Board of forestry—acquire lands, ... 339
state forester, ... 37
Board of freeholders—see chosen freeholders.
Board of health—employes in cities may form pension associations, ... 380
enforcement of health code, ... 640
enforcement of ordinances in towns and boroughs, ... 641
hospitals for contagious diseases in cities, ... 135

PAGE

Board of medical examiners—examinations in foreign languages, ... 239
license osteopathic physicians, ... 388
osteopathic member, ... 408
Board of parole—parole of prisoners, ... 765
Board of playground commissioners—control of baths in cities of first class, 139
Board of registry and election—compensation. 79
Board of utility commissioners—approve merger of corporations, ... 33
elimation of grade crossings, ... 91
full crews on trains, ... 342
grade crossing act null and void, ... 894
investigate toll bridges, ... 614
section relating to expenses repealed,.... 763
trolley terminals in cities of first class, ... 126
use of bridges by street railways, ... 777
Board of works—government of cities of second class, ... 657
Bonds—act requiring, from public buildings commissions repealed, ... 19
boroughs may issue for sewer and water systems, ... 378
cities may issue for school purposes, ... 476
cities of first class may issue for lands and buildings for police departments, ... 638
consolidated cities may issue, ... 99
counties may issue for parks, ... 239
issue of school, by districts, ... 93, 442
repavement in cities, ... 506
school districts may issue, to redeem notes, ... 210
street improvements in cities of second class, ... 348
towns may issue for sewers, ... 357
validating issue by boroughs, ... 817
validating issue in boroughs, ...18, 35, 85
validating issue in cities having ocean front, ... 21
validating issued for sidewalks in townships, ... 138
Books—distribution of State publications, ... 68
Borough of Beach Haven—part of Long Beach township annexed, ... 420
Bound Brook—part of Bridgewater township annexed, ... 202
Delford—part annexed to Riverside, ... 426
Delford—part of Midland township annexed, ... 414
Florham Park—part of township of Hanover annexed, ... 756
Franklin—incorporated, ... 128
Hightstown—part of East Windsor township annexed, ... 432
Laurel Springs—incorporated, ... 411
Middlesex—incorporated, ... 626
Riverside—part of Delford annexed, ... 426
Seaside Heights—incorporated, ... 44
Boroughs—additions to sewer system, ... 813
bond issue for sewer and water systems, ... 378
care of poor in hospitals, ... 65
certain boards abolished, ... 581
commissioner of deeds, ... 117
commission government, ... 836
contract for removal of garbage, ... 775
dance halls, ... 38
dispose of park lands to railroads, ... 430

PAGE

Boroughs—eight hours a day's work, ... 479
enforcement of health code, ... 640
enforcement of ordinances of board of health, ... 641
forfeiture of office, ... 116
instruction in preventing accidents, ...407, 508
interest, etc., on sewers not included in maximum tax rate, ... 127
liability of employers, ... 230
licenses to sell liquors, ... 574
municipal map for taxing purposes, ... 314
officials, ... 345
parks along lakes, streams, etc., ... 189
passage of ordinances, ... 323
provisions of Martin act extended, ... 417
recorder's court, ... 760
support independent fire company, ... 378
tenure of police, ... 75
vacating streets, ... 758
validating bond issue, ...18, 35, 85, 817
Bound Brook—part of Bridgewater township annexed, ... 202
Bridges—investigation by public utility commission, ... 614
permanent improvement of roads, ... 643
preservation of highways and, ... 779
use of by trolley companies, ... 777
Bridgewater, township of—part annexed to Bound Brook, ... 202
Briggs, Frank O.—act for relief of, ... 582
Brooks—preventing damage by overflowing, ... 58
Building and loan associations—officials not to ask or receive favors, ... 212
Burial of soldiers, etc.—by counties, ... 593

C

Camden—armory in, ... 95
Cancellation of mortgages—marginal entry, ... 279
Candidates—challengers at polls, ... 499
Cape May—closed season for lobsters, ... 267
Capital stock—increase by insurance companies, ... 338
Carlson, Ida P.—title to real estate vested in, ... 427
Carrier pigeons—protection of, ... 200
Cemeteries—acquire lands, sell lots, etc., ... 521
Certified milk—sale of, ... 211
Challengers—candidates may have, ... 499
Chancellor—appoint commissioner of juries, ... 828
determine amount due in disputed redemption cases, ... 821
salary, ... 144
sale of real estate of infants, ... 219
Chancery—filing exceptions or replication, ... 748
number of vice-chancellors, ... 34
retirement and pension of sergeant-at-arms, ... 772
salary of vice-chancellors, ... 379
sale of real estate of infants, ... 219
service of subpoenas, ...748
term and return day, ... 669

PAGE

Change of corporate title of cities, ... 907
Chapel—at reformatory for women, ... 376
Charitable institutions—exempt from taxation, ... 570
Chief engineer—in cities, ... 429
tenure in towns, ... 77
Chief justice—salary, ... 144
Children—admission to model school, ... 443
compulsory attendance at school, ... 399
custody of illegitimate, ... 733
dental clinics in cities of first class, ... 592
home life for dependent, ... 578
special schools for delinquents, ... 749
support by guardians, ... 277
transfer of real estate by trustees, ... 227
Chosen freeholders—acquire roads except in cities, ... 608
bond issues for parks, ... 239
buildings for courts outside county seat, ... 69
burial of soldiers, sailors, etc., ... 593
care of roads lying within city, ... 97
farm demonstrations in agriculture, ... 785
maintain roads lying in city, ... 394
maximum expenditure for roads, ... 623
number of members of small boards, ... 16
pay of constables attending court, ... 341
preventing damages by brooks, etc., overflowing, ... 58
proclamation in reference to small board, ... 897
reimbursement and compensation of small boards, ... 810
road contracts, ... 643
share cost of certain state highways, ... 572
small board act, ... 834
validating election of small board, ... 14, 17
Churches—exemption from taxation, ... 570
name of German Theological School changed to Bloomfield Theological Seminary, ... 502
use of regulated by board of commissioners, ... 197
Circuit courts—list of jurors, ... 803, 828
precedence of municipal suits, ... 621
Cities—assessments for sewers or drains, ... 120
bond issue for school purposes, ... 476
certain boards abolished, ... 581
change of corporate title, ... 907
chief engineers of streets, etc., ... 429
commissioner of deeds, ... 117
commission government, ... 836
consolidated, may issue bonds, ... 99
dance halls, ... 38
designation of materials for streets, ... 278
docks and shipping facilities, ... 107
eight hours a day's work, ... 479
employes of local boards of health may form associations, ... 380
enforcement of health code, ... 640
forfeiture of office, ... 116
hospitals for contagious diseases, ... 135
improving streets, ... 509

PAGE
Cities—instruction in preventing accidents, ... 407, 508
interest, etc., on sewers not included in maximum tax rate, ... 127
issue repavement bonds, ... 506
liability of employers, ... 230
licenses to sell liquors, ... 574
maintenance of roads lying within, ... 394
municipal exhibits, ... 121
municipal map for taxing purposes, ... 314
obtain water from artesian wells, ... 208
passage of ordinances, ... 323
pass paving ordinances notwithstanding objections, ... 822
payment for street paving, ... 183
procedure concerning paving assessments, ... 827
procedure concerning sewer assessments, ... 827
protecting sources of water supply, ... 370
public comfort stations, ... 374
publishing notices of intention, ... 56
storm sewers, etc., ... 651
validating election held under act relating to, etc., ... 916
validating street improvements, ... 818
Cities bordering on ocean—additional powers conferred, ... 20
validating bond issue, ... 21
Cities having less than 12,000—commissioners of assessment, ... 269
Cities of first class—auctioneers licensed, ... 263
city plan commission, ... 112
clerk to issue marriage licenses, ... 368
dental clinics, ... 592
extension of trolley tracks, ... 228
lands and buildings for police departments, ... 638
music in parks, ... 242
police sergeants may take bail, ... 776
public bathing facilities, ... 138
salaries of officers of fire department, ... 387
salaries of street, water, police and fire commissioners 213
tenure of city marshals, ... 431
trolley terminals, ... 126
use of city materials in improvements, ... 241
use of meters, ... 500
Cities of second class—board of works, ... 657
city plan commission, ... 281
number of members of council, ... 656
pay of firemen, ... 484
police sergeant may take bail, ... 776
proceedings in criminal cases, ... 174
temporary bond issue for street improvements, ... 348
City engineer—care of streets, etc., ... 429
tenure in towns, ... 77
City marshals—tenure in cities of first class, ... 431
City of Woodbury—paving, guttering, etc., ... 444
City plan commission—in cities of second class, ... 281
term, duties, etc., ... 112
Clementon, township of—incorporation of Laurel Springs, ... 411
Clubs—license to sell liquors, ... 655
Cody, David—title of certain real estate vested in, ... 422

PAGE

Colleges—exemption from taxation, ... 570
Comfort stations—in cities, ... 374
Commission government—ordinances, ... 323
powers, etc., ... 836
validating election held under act relating to cities, etc., ... 916
Commission of immigration, ... 143
Commission on emancipation proclamation—time and place for observances 142
Commission on employers' liabilty, ... 320
Commission on Fort Nonsense Park, ... 435
Commission on mental defectives, ... 797
Commission on motor vehicle legislation, ... 793
Commission on municipal government, ... 519
Commission on Washington Rock Park, ... 224
Commission to investigate methods of making assessments—appropriation, 53
Commission to investigate need of home for consumptives in Southern New Jersey, ... 799
Commissioner of banking and insurance—branch offices of trust companies, 223
deposit of securities, ... 195
legal investments for savings banks 439
proceedings affecting unsound banks, ... 291
proceedings affecting unsound trust companies, ... 282
purposes of insurance, ... 171
stock life companies converted into mutual companies, ... 152
transmitting money to foreign countries, ...167, 169
value of bonds, etc., held by life insurance companies, ... 583
Commissioner of deeds—term, removal, etc., ... 117
Commissioner of education—appointment of county superintendents, ... 771
instruction in preventing accidents, ...407, 508
member of library commission, ... 774
vocational schools, ... 595
Commissioner of labor—instruction in preventing accidents, ... 407
stationary engineers, ... 782
Commissioner of motor vehicles—appoint agents, ... 739
appoint inspectors, ... 146, 481
destruction of records, ... 152
horse power rating, ... 741
illegal markers, ... 151
judicial powers, ... 746
license drivers, ... 738
markers, ...148, 268
non-residents driving without license, ... 149
power of arrest, ... 186
prosecutions for violations, ... 159
records indexed, ... 747
summoning witnesses, ... 742
Commissioner of roads—bridges and culverts, ... 643
care of roads leading to state property, ... 369

PAGE

Commissioner of roads—charge, care, etc., of highways, ... 572
counties may acquire roads except in cities, ... 608
employment of prisoners, ... 590
extension of Delaware river drive, ... 300
permanent improvement of roads, ... 643
permits to move heavy vehicles or loads, ... 779
state highway commission to take over certain roads 536
Commissioners of assessment—in cities having less than 12,000, ... 269
Commissioners of juries, ... 828
Commissioners of sinking fund—investment in towns, ... 425
Common carriers—bills of lading, ... 244
Common council—cities may issue repavement bonds, ... 506
construct storm sewers, etc., ... 651
designation of materials for paving, ... 278
hospitals for contagious diseases in cities, ... 135
improving streets in cities, ... 509
membership in cities of second class, ... 656
municipal anniversaries, ... 624
municipal exhibits, ... 121
payment of costs of street paving, ... 183
public comfort stations, ... 374
Common pleas—salary of judges, ... 182
Comptroller—apportion school moneys, ... 753
department of accounts abolished, ... 650
Compulsory attendance at school, ... 399
Congressional district—special elections to fill vacancies in sixth, ...888, 899
Conover, John F.—act for relief of, ... 585
Constables—pay for attending court in certain counties, ... 341
Constitution of United States—amendment relative to election of senators, 794
amendment relative to tax on incomes, ... 793
Consumptives—commission on home in southern New Jersey, ... 799
tuberculosis day, ... 889
Contagious diseases—hospitals in cities, ... 135
Contractors—eight hour day on public work, ... 479
Contracts—expenditures exceeding $1,000, ... 365
labor of prisoners not to be contracted, ... 789
maximum expenditure for roads by counties, ... 623
Conveyances—cancellation of mortgages, ... 279
commissioners of deeds, ... 117
maps showing streets, etc., must be approved, ... 119
proven and recorded, ... 346
validating, made to religious societies, etc., ... 43
value of recorded instrument, ... 587
Corporate title of cities—change of, ... 907
Corporations—act to define trusts, and punish, ... 25
appeal from receiver's action, ... 409
capital stock of merged, ... 31
cemetery, ... 521
decrees of dissolution, ... 903
discrimination unlawful, ... 27
extension, renewal, etc., ... 396
fraudulent representations in advertising, ... 649

PAGE

Corporations—issue of stock, ... 28
may mortgage franchises, property, etc., ... 31
mergers approved by public utility commission, ... 33
merger not to impair rights, ... 33
name of German Theological School changed to Bloomfield Theological Seminary, ... 502
not deal in securities of other, ... 32
null and void, ... 851
organized for fraudulent purposes, ... 29
overflow of lands of meadow companies, ... 162
prevention of unfair trade practices, ... 377
restraint of trade or monopoly, ... 29
safety of longshoremen, ... 80
taxation of street railway franchises, ... 448
transmitting money to foreign countries, ...167, 169
Costs—taxing in courts of law, ... 122
Counselors—must be licensed, ... 358
Counties—acquire roads except in cities, ... 608
acting county physician, ... 616
act relative to parks repealed, ... 356
armories, ... 502
bond issues for park purposes, ... 239
burial of soldiers, sailors, etc., ... 593
detectives, ... 607
eight hours a day's work, ... 479
farm demonstrations in agriculture, ... 785
forfeiture of office, ... 116
land for county buildings, ... 652
liability of employers, ... 230
list of juries, ...803, 828
maintain roads lying in city, ... 394
marginal entry of cancellation of mortgages, ... 279
maximum expenditure for roads, ... 623
membership of small boards of freeholders, ... 16
pay of constables at court, ... 341
permanent improvement of roads, ... 643
proclamation in reference to small board of freeholders, ... 897
reimbursement and compensation of small board of freeholders, 810
salary of judges of common pleas, ... 182
semi-monthly pay of State employes, ... 103
small board of freeholders, ... 834
use of loose-leaf record books, ... 214
validating election of small board of freeholders, ...14, 17
Counties of first class—assistant probation officers, ... 140
attendants at juvenile courts, ... 494
interpreter in Polish and Russian languages, ... 220
Newark normal school, ... 192
support of indigent patients in hospitals, ... 636
Counties of second class—act appointing process server repealed, ... 380
buildings for courts outside county seat, ... 69
Passaic armory, ... 523
Counties of third class—armory at Salem, ... 410
salary of prosecutor, ... 181

PAGE

County asylums—commitment of insane, ... 449
County buildings—land for, ... 652
County clerk—conveyances proven and recorded, ... 346
maps showing streets, lots, etc., must be approved before filing, ... 119
marginal entry of cancellation of mortgages, ... 279
reformatory for women, ... 164
use of loose-leaf record books, ... 214
County detectives—appointment, ... 607
County physicians—acting, ... 616
County superintendents—appointment, ... 771
apportion moneys derived from railroads, ... 753
Court attendants—juvenile courts in counties of first class, ... 494
Court house—land for, ... 652
Court of chancery—filing exceptions or replication, ... 748
number of vice-chancellors, ... 34
retirement and pension of sergeant-at-arms, ... 772
salary of vice-chancellors, ... 379
sale of real estate of infants, ... 219
service of subpoenas, ... 748
term and return day, ... 669
Court of common pleas—precedence of municipal cases, ... 621
salary of judges, ... 182
Court of errors—precedence of municipal suits, ... 621
supplement to act giving additional compensation to certain members repealed, ... 774
Courts—absence of defendant in district court, ... 280
attendants at juvenile, ... 494
buildings for, outside county seat, ... 69
commitment of wayward females, ... 42
commitment of women to reformatory, ... 164
county detectives, ... 607
depositions, ... 105
fees in motor vehicle proceedings, ... 160
interpreter in Polish and Russian languages in counties of first class 220
judgment in suit between landlord and tenant, ... 618
list of jurymen in district 276
notice of trial, ... 642
pay of constables in certain courts, ... 341
precedence of municipal suits, ... 621
proof in proceedings in quo warranto, ... 915
recorder's court established in townships and boroughs, ... 760
removal of tenants, ... 178
salary of justices of supreme, ... 144
taxing fees and costs, ... 122
Crews—manning trains on railroads, ... 342
Crimes—bank officials not to ask or receive favors, ... 212
commitment of women to reformatory, ... 164
discrimination in sale and distribution of commodities unlawful, .. 27
forfeiture of office, ... 116
fraudulent representation in advertising, ... 649
incorporation for fraudulent purposes, ... 29
lawyers must be licensed, ... 358

Crimes—placing circulars, etc., in papers, etc., without consent, ... 653
proceedings in criminal cases in cities of second class, ... 174
proclamation offering reward for murderer of Luella Marshall, ... 892
state house commission to contract for expenditures over $1,000, .. 365
taking ice illegally, ... 188
Criminal insane—heating plant at house of detention, ... 816
Crossings—elimination of grade, ... 91
grade crossing act null and void, ... 894

D.

Damages—recovery of, in case of death, ... 586
Dams—supervision of, ... 173
Dance halls—licensed in municipalities, ... 38
regulated by board of commissioners, ... 197
Deaths—acting county physicians, ... 616
recovery of damages, ... 586
Decrees of dissolution, ... 903
Deeds—commissioners of, ... 117
proven and recorded, ... 346
value of recorded instrument, ... 587
Deer—sale of wild, as food prohibited, ... 215
Defectives—commission on mental, ... 797
Defendants—absence in district court, ... 280
Delaware river drive—Trenton to Cape May, ... 300
Delford—part annexed to Riverside, ... 426
part of Midland township annexed, ... 414
Dentistry—free treatment of indigent children in cities of first class, ... 592
Denville, township of—incorporation, ... 769
Department of accounts—abolished, ... 650
Department of public records and archives, ... 325
Appropriations for, ...825, 826
Dependent children—home life for, ... 578
Depositions—concerning evidence, ... 105
non-resident witness to will, ... 102
Deposit of securities—by insurance companies, ... 195
Descent of real estate—act repealed, ... 408
when property goes to mother, ... 397
Digest—supplemental of law and equity reports, ... 763
Discriminations—unfair insurance, ... 133
unfair trade practices, ... 377
unlawful, ... 27
Diseases—act for care of indigent patients repealed, ... 22
hospitals for contagious, in cities, ... 135
Disorderly persons—intoxicated drivers, ... 103
use of hat pins, ... 422
Dissolutions—decrees of, ... 903
District courts—absence of defendant, ... 280
first judicial district of Monmouth county, ... 36
first judicial district of Ocean county, ... 226
list of jurymen, ... 276
removal of tenants, ...178, 743

PAGE
District courts—second judicial district of Monmouth county, ... 67
suit between landlord and tenant, ... 618
Divorces—publication of notices, ... 40
Docks—safety of workmen, ... 80
shipping facilities in cities, ... 107
Dogs—field days for trial of, ... 185
Dover, township of—incorporation of Seaside Heights, ... 44
Drag hunting—season, ...262, 812
Drainage—completion of, of ponds, swamps, etc., ... 670
Drainage of flowed lands—township of Hanover, ...192, 632
Drains—see sewers.
Drivers—destruction of motor vehicle records, ... 152
intoxicated, ... 103
licensed, ... 738
non-resident motor vehicle, ... 149
power of arrest, ... 186
prosecutions for violations, ... 159

E.

East Windsor, township of—part annexed to Hightstown, ... 432
Education—see schools.
Eggs—sale of fish or game birds, ... 141
Eight hour law—public work, ... 479
Elections—challengers at polls, ... 499
compensation of election boards, ... 79
proclamation for special, ... 809
special, to fill vacancies in sixth congressional district, ...888, 899
Electricity—use of meters in cities of first class, ... 500
Elevators—in factories, etc., ... 330
Emancipation proclamation—time and place for observances, ... 142
Employes—eight hour law, ... 479
elevators in factories, etc., ... 330
full crews on trains, ... 342
guardian may compromise claim, ... 617
liability act extended to State, county, municipalities, etc., ... 230
safety of longshoremen, ... 80
schedule of compensation, ... 302
Employers' liability—act extended to State, county, municipalities, etc., ... 230
commission, ... 320
guardian may compromise claim, ... 617
instruction in preventing accidents, ... 508
safety of longshoremen, ... 80
schedule of payments, ... 302
Engineers—stationary licensed, ... 782
Epileptics—commission on mental defectives, ... 797
Henry M. Weeks hospital, ... 341
Equity reports—supplemental digest of law and, ... 763
Evidence—depositions, ... 105
Examiners—state board of, ... 475
Executors—legal investments, ... 447

PAGE
Exemption from taxation—schools, churches, etc., ... 570
Exhibitions—anniversary of emancipation proclamation, ... 142
regulating aviation, ... 84
Exposition—appropriation for San Francisco, ... 759

F.

Factories—elevators, ... 330
Fairs—appropriation for San Francisco exposition, ... 759
regulating aviation exhibitions, ... 84
Farmers—demonstrations in agriculture, ... 785
sale of agricultural lime, ... 321
Feeble-minded—commission on mental defectives, ... 797
Fees—in motor vehicle proceedings, ... 160
pay of constables attending certain courts, ... 341
taxing costs, ... 122
Females—commitment of wayward, ... 42
Fertilizers—sale of agricultural lime, ... 321
Field days—trial of dogs, ... 185
Fire commissioners—salaries in cities of first class, ... 213
salaries of officers of fire department in cities of first class, ... 387
Fire escapes—regulations by board of commissioners, ... 197
Firemen—boroughs may support independent companies, ... 378
fire department in villages, ... 501
pay in cities of second class, ... 484
pension fund in certain municipalities, ... 486
salaries of officers in cities of first class, ... 387
stationary licensed, ... 782
tenure in annexed municipalities, ... 235
tenure in towns, ... 492
Fish and game—closed season for lobsters in Cape May county, ... 267
decoying birds with grain, ... 57
destruction of starling, ... 620
field days for dogs, ... 185
fox hunting, ... 262, 812
license to operate game farms, ... 232
minimum size of lobsters, ... 266
propagation of game and fish, ... 88
protection of striped bass, ... 447
pursuit of water fowl, ... 115
relief of Franklin Titus, ... 367
sale of eggs, ... 141
sale of squirrels, wild deer, etc., prohibited, ... 215
season for bass and pickerel, ... 89
season for trout, ... 90
size of trout, bass, pickerel, ... 319
unlawful to take certain game, ... 194
validity of prosecutions, ... 235
Fish pond nets—prohibiting use in certain waters, ... 624
Florham Park—part of township of Hanover annexed, ... 756
Flowed lands—drainage in Hanover township, ... 192, 632

PAGE

Flying machines—regulating exhibitions, ... 84
Food—right to condemn and destroy, ... 216
Foreign wills—recorded to make title, ... 355
Forest park commission—acquire lands, ... 339
chief forester and duties, ... 37
Fort Nonsense Park—commission on, ... 435
Fox-hunting—season for, ... 262, 812
Franchises—taxation of street railways, ... 448
Franklin, borough of—incorporation, ... 128
Freeholders—see chosen freeholders.
Freight—bills of lading, ... 244
Freshets—preventing damages by brooks, etc., overflowing, ... 58
Fresh water—meaning of term, ... 329
Full crews—manning trains, ... 342
Fur-bearing animals—protection of, ... 201

G.

Game and fish—closed season for lobsters in Cape May county, ... 267
decoying water wild fowl with grain, ... 57
destruction of starling, ... 620
field days for dogs, ... 185
fox hunting, ... 262, 812
license to operate game farms, ... 232
minimum size of lobsters, ... 266
propagation of, ... 88
protection of striped bass, ... 447
pursuit of water fowl, ... 115
relief of Franklin Titus, ... 367
sale of eggs, ... 141
sale of squirrels, wild deer, etc., prohibited, ... 215
season for bass and pickerel, ... 89
season for trout, ... 90
size of trout, bass, pickerel taken, ... 319
unlawful to take certain game, ... 194
validity of prosecutions, ... 235
Garbage—boroughs may contract for removal, ... 775
Gas—use of meters in cities of first class, ... 500
Geologist—assistant, ... 98
German Theological School—name changed to Bloomfield Theological Seminary, ... 502
Gloucester City—salary of mayor, ... 362
Golf balls—not to contain acid, ... 584
Governor—additional commissioners for reformatory for women, ... 15
appoint recorder in townships and boroughs, ... 760
approval of action of board of parole, ... 765
commission of immigration, ... 143
commission on mental defectives, ... 797
commission on motor vehicle legislation, ... 793
commission on municipal government, ... 519
commission on Washington Rock Park, ... 224
department of records and archives, ... 325

PAGE
Governor—employers' liability commission, ... 320
Fort Nonsense Park commission, ... 435
militia at presidential inaugural ceremonies, ... 24
osteopathic member of medical examiners, ... 408
proclamation for special election, ... 809
Grade crossings—elimination of, ... 91
proclamation declaring law null and void, ... 894
Grand jury list—made by sheriff, ... 803
made by commissioners of juries, ... 828
proclamation convening special session of the Legislature, 897
Guardians—board of children's, ... 578
legal investments, ... 447
support of minors, ... 277
Guns—air and spring, ... 339

H.

Hanlon, Ellen—title to certain real estate vested in David Cody, ... 422
Hanover, township of—drainage of flowed lands, ...192, 632
part annexed to Florham Park, ... 756
Hardyston, township of—incorporation of borough of Franklin, ... 128
Hatchery—propagation of game and fish, ... 88
Hat pins—wearing of, ... 422
Health—cities to protect source of water supply, ... 370
completion of drainage of ponds, marshes, swamps, etc., ... 670
discharge of sewage into fresh water, ... 329
employes of board of, in cities may form pension associations, ... 380
enforcement of code, ... 640
enforcement of ordinances in towns and boroughs, ... 641
hospitals for contagious diseases in cities, ... 135
instruction in preventing accidents, ... 508
right to condemn and destroy food, ... 216
tuberculosis day, ... 889
Henry M. Weeks hospital—at village for epileptics, ... 341
Hightstown—part of East Windsor township annexed, ... 432
Highways—see streets; roads.
Hillside, township of—incorporation, ... 496
Historical societies—distribution of State publications, ... 68
Home for consumptives—in southern New Jersey, ... 799
Home for soldiers, etc.—terms of admission, ... 243
Horse power—motor vehicles, ... 741
Hospitals—care of poor in, ... 65
contagious diseases in cities, ... 135
exemption from taxation, ... 570
name at village for epileptics, ... 341
support of indigent patients by counties of first class, ... 636
validating proceedings in townships, ... 180
Hotels—licenses to sell liquors, ... 574
House of assembly—salary of officers, ... 11
House of detention—heating plant, ... 816
House of representatives—special elections to fill vacancies, ...888, 899
Hudson county tuberculosis hospital—additional appropriation, ... 821
Hughes, William—special election to fill vacancy caused by resignation of, 888

PAGE

I.

Ice—taking illegally, ... 188
Immigration—commission on, ... 143
Improvement commissions—certain boards abolished, ... 581
regulate use of assembly buildings, ... 197
validating election held under act relating to cities, etc., ... 916
Inauguration—militia at presidential, ... 24
Incidental bills, ... 524, 790
Incomes—tax on, ... 793
Indigents, care of—act repealed, ... 22
Infants—sale of land authorized by chancellor, ... 219
Inland waterways—deepening Absecon inlet, ... 615
relief of John F. Conover, ... 585
Inlet—appropriation for Shark river, ... 373
deepening Absecon, ... 615
Inns—licenses to sell liquors, ... 574
Insane—commission on mental defectives, ... 797
commitment, ... 449
heating plant at house of detention for criminal, ... 816
keeping indigents, ... 328
Inspectors—motor vehicles, ... 146, 481
Insurance—deposit of securities, ... 195
increased capital, ... 338
life companies may acquire stock for benefit of policy holders, 152
purposes of, ... 171
stock life companies converted to mutual companies, ... 152
unfair discriminating rates forbidden, ... 133
value of bonds, etc., held by life companies, ... 583
Inter-municipal park commission—parks along lakes, streams, etc., in townships and boroughs, ... 189
Interpreter—in Polish and Russian languages in counties of first class, ... 220
Investments—by executors, etc., ... 447
by savings banks, ... 439
sinking fund in towns, ... 425

J.

Jersey City—monument to commemorate founding town of Bergen, ... 654
proclamation convening special session of the Legislature, ... 911
Joint resolutions—commission on home for consumptives, ... 799
commission on mental defectives, ... 797
commission on motor vehicle legislation, ... 793
election United States senators, ... 794
income tax, ... 793
statue at grave of Gen. Philip Kearny, ... 796
Judges of common pleas—salaries, ... 182
Judicial districts—first of Monmouth, ... 36
second of Monmouth, ... 67
first of Ocean, ... 226

PAGE
Juries—commissioners of, to make lists, ... 828
proclamation convening special session of the Legislature, ... 897
sheriff to make lists, ... 803
Jurymen—list in circuit courts, ...803, 828
list in district courts, ... 276
Justices of supreme court—salaries, ... 144
Justices of the peace—commissioner motor vehicles vested with like powers 746
proceedings in criminal cases in cities of second class, 174
Juvenile courts—officers or attendants in counties of first class, ... 494

K.

Kearny, Philip—statue at grave, ... 796
Kearny, town of—reimbursed for sewer, ... 104

L.

Labor—steam engine and boiler operators' license bureau, ... 782
Lading—uniform law of bills, ... 244
Landlords—judgment in suit against tenant in district court, ... 618
removal of tenants, ...178, 743
Laurel Springs—incorporated as borough, ... 411
Law and equity reports—supplemental digest, ... 763
Lawyers—must be licensed, ... 358
notice of trials, ... 642
Legislature—incidental bill, ...524, 790
members of, ...5, 6, 7
proclamations convening special sessions, ...897, 911
salaries of officers, ... 11
Lessee—removal of tenants, ...178, 743
Liability of employers—act extended to State, county, municipalities, etc., 230
commission, ... 320
guardian may compromise claim, ... 617
schedule of compensation, ... 302
Libraries—distribution of State publications, ... 68
exemption from taxation, ... 570
Library commission—commissioner of education a member, ... 774
Licenses—agents for motor vehicles, ... 739
dance halls in municipalities, ... 38
destruction of motor vehicle records, ... 152
drivers of motor vehicles, ... 738
field days for trial of dogs, ... 185
marriages in cities of first class, ... 368
number allowable to sell liquors, ... 574
osteopathic member of medical examiners, ... 408
osteopathic physicians, ... 388
propagation of game, ... 232
revocation to practice architecture, ... 236
social clubs, ... 655
stationary engineers, ... 782

PAGE

Life insurance companies—may acquire stock for benefit of policy holders, 152
stock companies converted to mutual, ... 152
value of bonds, etc., held by, ... 583
Lights—displayed on motor vehicles, ... 144
Lime—act to regulate sale of agricultural, ... 321
Liquors—licenses to sell, ... 574
licenses to social clubs, ... 655
Lobsters—closed season in Cape May county, ... 267
minimum size to be taken, ... 266
Long Beach, township of—part annexed to Beach Haven, ... 420
Longshoremen—protection at docks, ... 80
Loose-leaf record books—use in county offices, ... 214
Lunatics—commitment of insane, ... 449
pay for indigent insane, ... 328

M.

Magazines—placing circulars, etc., in newspapers, etc., without consent, ... 653
Maps—must be approved before filing with county clerk, ... 119
prepared by cities, etc., for taxing purposes, ... 314
Markers—displayed on motor vehicles, ...146, 268
illegal motor vehicle, ... 151
lost, ... 151
Marriages—licenses in cities of first class, ... 368
publication of notices of divorce, ... 40
who may perform, ... 74
Marshall, Luella—proclamation offering reward for murderer of, ... 892
Marshes—completion of drainage, ... 670
Martin act—provisions of act extended, ... 417
sundry acts repealed, ... 419
Martin, Lewis J.—special election to fill vacancy caused by death of, ... 899
Maximum tax rate—interest and sinking fund not included, ... 127
Mayor—salary in Gloucester City, ... 362
Meadow companies—overflow, etc., of lands, ... 162
Meadows—completion of drainage, ... 670
Measures—capacity of baskets, ... 125
use of false weights and, ... 350
Medical examiners—examinations in foreign languages, ... 239
osteopathic member of board, ... 408
practice of osteopathy, ... 388
Medical milk commission—certified milk, ... 211
Medicine—supplement to act regulating practice repealed, ... 678
Mental defectives—commission on, ... 797
Merchandise—uniform bills of lading, ... 244
Merchants—prevention of unfair trade practices, ... 377
Mergers—approved by public utility commission, ... 33
corporations may issue bonds, etc., ... 31
rights not impaired, ... 33
Meters—use in cities of first class, ... 500
Middlesex, borough of—incorporated, ... 626
Midland, township of—part annexed to Delford, ... 414
Military board—armories in counties, ... 502
Militia—see National guard.

PAGE

Milk—right to condemn and destroy, ... 216
sale of certified, ... 211
Mills—elevators, ... 330
Minks—protection of fur-bearing animals, ... 201
Minors—custody of illegitimate children, ... 733
sale of real estate of infants authorized by chancellor, ... 219
support of, ... 277
Model school—admission to, from district schools, ... 443
Money—transmitting to foreign countries, ... 167, 169
Monmouth county—first judicial district, ... 36
second judicial district, ... 67
Monopolies—act to define trusts and punish corporations, ... 25, 29
discrimination unlawful, ... 27
Monument—commemorating the founding of town of Bergen, ... 654
Mortgages—marginal entry of cancellation, ... 279
proven and recorded, ... 346
Mother—descent of real estate to, ... 397
Motor vehicles—commission on legislation, ... 793
destruction of records, ... 152
display of markers, ... 146, 268
fees in proceedings under act, ... 160
horse power rating, ... 741
illegal markers, ... 151
inspectors, ... 146, 481
intoxicated drivers, ... 103
judicial powers of commissioner, ... 746
licensing drivers, ... 738
lights on, ... 144
non-residents driving without license, ... 149
power of arrest, ... 186
prosecutions for violations, ... 159
records indexed, ... 747
summoning witnesses, ... 742
use on roads and bridges, ... 779
Municipal buildings—in villages, ... 82
Municipal exhibits—in cities, ... 121
Municipalities—care of poor in hospitals, ... 65
celebration of fiftieth anniversary, ... 624
certain boards abolished, ... 581
commission government, ... 836
commission on municipal government, ... 519
completion of drainage of ponds, marshes, swamps, etc., ... 670
consolidated cities may issue bonds, ... 99
eight hours a day's work, ... 479
enforcement of health code, ... 640
forfeiture of office, ... 116
interest, etc., on sewers not included in maximum tax rate, 127
liability of employers, ... 230
licenses to sell liquors, ... 574
parks along lakes, streams, etc., ... 189
passage of ordinances, ... 323
pension fund of firemen in certain, ... 486
precedence of suits in courts, ... 621

PAGE

Municipalities—preventing damages by brooks, etc., overflowing, ... 58
provisions of Martin act extended, ... 417
taxation of street railway franchises, ... 448
tenure of firemen in annexed, ... 235
use of bridges by trolley companies, ... 777
validating election held under act relating to cities, etc.,... 916
Music—in parks in cities of first class, ... 242
Muskrats—protection of fur-bearing animals, ... 201
Mutual life insurance—converted from stock, ... 152

N.

National guard—Camden armory, ... 95
certain officers pensioned, ... 199
county armories, ... 502
Orange armory, ... 94
Passaic armory, ... 523
presidential inaugural ceremonies, ... 24
Red Bank armory, ... 40
Salem armory, ... 410
National tuberculosis day—proclamation, ... 889
Navigation—shipping facilities in cities, ... 107
Nets—prohibiting fish pond, in certain waters, ... 624
New Jersey commission on the care of mental defectives, ... 797
New Jersey Digest—supplemental volume, ... 763
New Jersey home for soldiers, etc.—terms of admission, ... 243
New Jersey reformatory—appropriation for, ... 764
Newspapers—placing circulars, etc., in magazines, etc., without consent, ... 653
Non-resident drivers—motor vehicle, ... 149
Normal schools—admission to Model school, ... 443
in South Jersey, ... 118
Newark, ... 192
Notices—providing for publication of divorce, etc., ... 40
publishing, of intention in cities, ... 56

O.

Ocean county—first judicial district, ... 226
Ocean front—additional powers conferred on cities having, ... 20
Officers—certain, of militia pensioned, ... 199
Officials—forfeiture of office, ... 116
Orange—armory in, ... 94
Ordinances—cities may order paving notwithstanding objections, ... 822
passage in municipalities, ... 323
Ordinary—vice-ordinaries, ... 81
Orphans' court—deposition of non-resident witness to will, ... 102
recording foreign wills, ... 355
support of minors, ... 277
Osteopathy—member of medical examiners, ... 408
regulate practice, ... 388
Otters—protection of fur-bearing animals, ... 201
Overflowed lands—meadow companies, ... 162
township of Hanover, ... 192
Oxford, township of—incorporation of White township, ... 733

P.

	PAGE
Panama canal—appropriation to commemorate opening,	759
Park commissioners—township and borough parks along lakes, streams, etc.	189
Parks—act granting riparian lands repealed,	263
act relative to in certain counties repealed,	356
along lakes, streams, etc.,	189
bond issues in counties,	239
boroughs may dispose of lands to railroads,	430
Fort Nonsense,	435
maintenance in villages,	52
music in cities of first class,	242
Washington Rock,	224
Parole—board of,	765
Pensions—certain officers of militia,	199
employes of city board of health may form pension associations,	380
fund for firemen in certain municipalities,	486
sergeant-at-arms of court of chancery,	772
widows,	578
Perch—season for,	89
size taken,	319
Petit jury list—made by sheriff,	803
proclamation convening special session of the Legislature,	897
Physicians—examinations in foreign languages,	239
osteopathic,	388
supplement to act regulating practice of medicine repealed,	678
Pickerel—season for,	89
size taken,	319
Piers—safety of workmen,	80
Piscataway, township of—borough of Middlesex incorporated,	626
Pistols—air and spring guns,	339
Pittsgrove, township of—part annexed to township of Upper Pittsgrove,	775
Playground commission—control of bathing facilities in cities of first class,	139
Police—lands and buildings in cities of first class,	638
sergeants may take bail,	776
tenure in boroughs,	75
Police commissioners—salaries in cities of first class,	213
Police justices—commissioner of motor vehicles vested with like powers,	746
salary in towns,	606
Policy holders—life insurance companies may acquire stock,	152
purposes of insurance,	171
Polish language—interpreter in counties of first class,	220
Pond nets—prohibiting use in certain waters,	624
Ponds—completion of drainage,	670
taking ice illegally,	188
Poor—care in hospitals by boroughs, towns, etc.,	65
support of indigent patients in hospitals by counties of first class,	636
Potable water—acquire lands, rights, etc., for supply,	206
discharge of sewage,	329
Practice of courts of law—notice of trial,	642
precedence of municipal suits,	621
Prerogative court—vice-ordinaries,	81
Primaries—challengers at polls,	499

Prisoners—board of parole, ... 765
employment on roads, ... 590
land for employment of, ... 588
not to be contracted, ... 789
transfer for purpose of working, ... 483
Prison labor commission—employment of prisoners on roads, ... 590
land for employment of prisoners, ... 588
transfer of prisoners for purpose of working, .. 483
Probation officers—assistants in counties of first class, ... 140
Process server—act repealed, ... 380
Proclamations—anniversary observances of emancipation, ... 142
convening special sessions of the Legislature, ...897, 911
corporations null and void, ... 851
directing election to fill vacancies in sixth congressional district, ...888, 899
grade crossing act null and void, ... 894
reward for apprehending murderer, ... 892
special writ of election, ... 809
thanksgiving day, ... 891
tuberculosis day, ... 889
Prosecutions—violations of motor vehicle laws, ... 159
Prosecutors—appoint special officer in certain counties, ... 607
salaries in counties of third class, ... 181
Publications—distribution of State, ... 68
Public comfort stations—in cities, ... 374
Public roads—see roads.
Public schools—see schools.
Public utility commission—elimination of grade crossings, ... 91
full crews on trains, ... 342
grade crossing act null and void, ... 894
investigate toll bridges, ... 614
section relating to expenses repealed, ... 763
to approve merger of corporations, ... 33
trolley terminals in cities of first class, ... 126
use of bridges by street railways, ... 777
Pure food—right to condemn and destroy food, ... 216

Q.

Quo warranto—proof in proceedings, ... 915

R.

Rahway reformatory—appropriation for, ... 764
Railroads—bills of lading, ... 244
boroughs may dispose of park lands to, ... 430
elimination of grade crossings, ... 91
full crews, ... 342
grade crossing act null and void, ... 894
mergers approved by public utility commission, ... 33
taxation of street railway franchises, ... 448
taxes from, devoted to schools, ... 753
time for completing extended, ... 594

PAGE

Rates of insurance—unfair discrimination, ... 133
Real estate—act directing descent to mother repealed, ... 408
descent to mother, ... 397
sale of, of infants authorized by chancellor, ... 219
title vested in David Cody, ... 422
title vested in Ida P. Carlson, ... 427
transfer by trustees with children's consent, ... 227
validating defective advertisements, ... 55
Receiver—appeal from, to court of chancery, ... 409
Record books—use of loose-leaf in county offices, ... 214
Recorders—commissioner of motor vehicles vested with like powers, ... 746
court established in townships and boroughs, ... 760
proceedings in criminal cases in cities of second class, ... 174
salary in towns, ... 606
township, ... 424, 760
Records—department of archives, ... 325
motor vehicle indexed, ... 747
Recovery of damages—death by wrongful act, ... 586
Red Bank—armory in, ... 40
Reformatory—appropriation for Rahway, ... 764
labor of inmates not to be contracted, ... 789
Reformatory for women—additional commissioners, ... 15
appropriation, ... 54
chapel, ... 376
commitment of wayward females, ... 42
commitments; transfer from state prison, ... 164
Registers—use of loose-leaf record books, ... 214
Religious societies—conveyances made to, validated, ... 43
Repavement bonds—cities may issue, ... 506
Repealers—additional compensation to chancellor and justices of supreme court, ... 774
descent of real estate to mother, ... 408
giving bonds by members of public bodies, ... 19
granting riparian lands for parks, ... 263
maintenance of indigent patients, ... 22
parks in certain counties, ... 356
Passaic armory, ... 523
process server in counties of second class, ... 380
section 12 of public utility law, ... 763
section 18 of State highway act, ... 231
sections of school law, ... 757
sundry acts relative to Martin act, ... 419
supplement to act regulating practice of medicine, etc., ... 678
Reports—supplemental digest of law and equity, ... 763
Reservoirs—supervision of, ... 173
Restoration fund—state house commission, ... 198
Rights of way—over State lands, ... 86
Riparian lands—act granting for parks repealed, ... 263
shipping facilities in cities, ... 107
Rivers—supervision of dams and reservoirs, ... 173
Riverside—part of Delford annexed, ... 426

PAGE

Roads—bond issue in cities of second class, ... 348
care of roads leading to state property, ... 369
commissioner of roads to take charge, ... 572
control of, in cities, ... 97
Delaware river drive extension, ... 300
elimination of grade crossings, ... 91
employment of prisoners on, ... 590
freeholders may acquire, except in cities, ... 608
intoxicated drivers, ... 103
lights on motor vehicles, ... 144
maintenance of, lying within city, ... 394
maps showing, must be approved before filing with county clerk, .. 119
maximum expenditure by counties, ... 623
permanent improvement, ... 643
preservation of highways and bridges, ... 779
section 18 repealed, ... 231
state highway commission to take over blue routes, ... 536
township surveyors, ... 569
townships may vacate, ... 111
use of traction engines on, ... 779
Rockaway, township of—part incorporated as township of Denville, ... 769
Russian language—interpreter in counties of first class, ... 220

S.

Sailors—admission to home for, ... 243
burial by counties, ... 593
Salaries—chancellor and judges of supreme court, ... 144
firemen in cities of second class, ... 484
judges of courts of common pleas, ... 182
officers of fire department in cities of first class, ... 387
mayor of Gloucester City, ... 362
officers of legislature, ... 11
prosecutors in counties of third class, ... 181
recorders in towns, ... 606
second assistant attorney-general, ... 222
semi-monthly to State employes, ... 103, 508
street, water, police, and fire commissioners in cities of first class, 213
vice-chancellors, ... 379
Salem—armory at, ... 410
Sales of land—validating in townships, ... 23
Saloons—licenses to sell liquors, ... 574
San Francisco exposition—appropriation, ... 759
Savings banks—legal investments, ... 439
officials not to ask or receive favors, ... 212
School districts—instruction in preventing accidents, ... 407, 508
issuance of bonds, ... 93
special schools for delinquent children, ... 749
use of school houses, ... 629
validating bond issue, ... 442
vocational education, ... 595
Schoolhouses—cities may issue bonds for, ... 476
use of, ... 629

PAGE

Schools—admission to Model school from districts, ... 443
appointment of county superintendents, ... 771
bond issue by districts, ... 93
compulsory attendance, ... 399
districts may issue bonds to redeem notes, ... 210
exemption from taxation, ... 570
instruction in preventing accidents, ...407, 508
liability of employer, ... 230
money for lands or buildings in cities, ... 476
Newark normal school, ... 192
Normal school in South Jersey, ... 118
sections of law repealed, ... 757
special schools for delinquents, ... 749
state board of examiners, ... 475
summer schools, ... 630
taxes derived from railroads devoted to, ... 753
use of regulated by board of commissioners, ... 197
use of school houses, ... 629
validating bond issue by districts, ... 442
vocational education, ... 595
Seaside Heights, borough of—incorporated, ... 44
Second assistant attorney-general—appointment, ... 222
Securities—deposit by insurance companies, ... 195
Semi-monthly pay—state officers and employes, ...103, 508
Seminary—name of German Theological School changed to Bloomfield Theological, ... 502
Senate—salaries of officers, ... 11
Senators—election of United States, ... 794
list of, ... 5
Sergeant-at-arms—retirement and pension of, of court of chancery, ... 772
Sergeants of police—may take bail, ... 776
Sewage—discharge into fresh water, ... 329
Sewers—additions in boroughs, ... 813
assessments for, in cities, ... 120
assessments in towns, ... 264
boroughs may issue bonds for, ... 378
cities construct storm, etc., ... 651
cities to protect source of water supply, ... 370
enforcement of health code, ... 640
interest and sinking fund not included in tax rate, ... 127
notice of intention to construct in cities, ... 56
procedure concerning assessments in cities, ... 827
town of Kearny reimbursed, ... 104
towns may issue bonds for, ... 357
Shark river inlet—appropriation, ... 373
Sheriff—make list of jurors, ... 803
Shipping—bills of lading, ... 244
Sidewalks—validating bonds issued in townships, ... 138
Sinking fund—investment in towns, ... 425
Skunks—protection of fur-bearing animals, ... 201
Small board of freeholders—adoption of act, ... 834
number of members, ... 16
proclamation convening the Legislature, ... 897

PAGE
Small board of freeholders—reimbursement, etc., ... 810
validating election, ...14, 17
Small cause court—in townships and boroughs, ... 760
Social clubs—license to sell liquors, ... 655
Soldiers—admission to home for, ... 243
burial by counties, ... 593
Special commission on municipal government, ... 519
Special schools—for delinquent children, ... 749
Spring guns—prohibition, ... 339
Squirrels—sale as food prohibited, ... 215
Stafford, Bernard L.—pay for clerical services, ... 790
Starling—destruction of, ... 620
State board of children's guardians—widows' pensions, ... 578
State board of education—Newark normal school, ... 192
normal school in South Jersey, ... 118
special schools for delinquent children, ... 749
summer schools, ... 630
vocational schools, ... 595
State board of examiners—how composed, ... 475
summer schools, ... 630
State board of forestry—acquire lands, ... 339
state forester, ... 37
State board of health—cities to protect source of water supply, ... 370
discharge of sewage into fresh water, ... 329
right to condemn and destroy food, ... 216
State board of medical examiners—examinations in foreign languages, ... 239
license osteopathic physicians, ... 388
State boards—petty cash fund, ... 773
State comptroller—apportion taxes received from railroads to schools, ... 753
department of accounts abolished, ... 650
department of accounts merged with, ... 650
State department of public records and archives,..... 325
appropriations for, ...825, 826
State employes—paid semi-monthly, ...103, 508
State expenditures—by contract exceeding $1,000, ... 365
petty cash fund, ... 773
State forester—title and duties, ... 37
State geologist—assistant, ... 98
State highway commission—extension of Delaware river drive, ... 300
sharing cost of road work, ... 572
take over certain roads, ... 536
State home for consumptives—in southern New Jersey, ... 799
State hospitals—commitment of insane, ... 449
pay for indigent insane, ... 328
State House—additional lands adjoining, ... 96
State House commission—acquire adjoining property, ... 96
expenditures over $1,000 by contract, ... 365
heating plant at house of detention at Trenton asylum, ... 816
restoration fund, ... 198
State institutions—certificate of death of inmates, ... 616
petty cash fund, ... 773
State lands—right of way over, ... 86

PAGE
State military board—county armories, ... 502
State moneys—petty cash fund, ... 773
State Normal schools—admission to Model school, ... 443
in Newark, ... 192
in South Jersey, ... 118
State officers—paid semi-monthly, ... 508
State of New Jersey—eight hours a day's work, ... 479
expenditures over $1,000 by contract, ... 365
liability for employes, ... 230
prosecutions for violations of motor vehicle laws, .. 159
restoration fund, ... 198
State prison board of parole, ... 765
employment of prisoners on roads, ... 590
land for employment of prisoners, ... 588
prisoners not to be contracted, ... 789
transfer of prisoners for working, ... 483
transfer of women to reformatory, ... 164
State publications—distribution of, ... 68
State reformatory for women—additional commissioners, ... 15
appropriation, ... 54
chapel, ... 376
commitment of wayward females, ... 42
commitments; transfer from prison, ... 164
State superintendent of farm demonstration, ... 785
State treasurer—act for relief of Frank O. Briggs, ... 582
State water supply commission—acquire lands, rights, etc., for water supply, 206
cities may dig artesian wells, ... 208
supervision of dams and reservoirs, ... 173
Stationary engineers—licensing, etc., ... 782
Statue—at grave of Gen. Philip Kearny, ... 796
Steam engine and boiler operators' license bureau, ... 782
Stock—corporations not to deal in stock of other corporations, ... 32
life insurance companies may acquire, ... 152
issue by corporations, ...28, 31
Street commissioners—salaries in cities of first class, ... 213
Street railways—extension in cities of first class, ... 228
taxation of franchises, ... 448
terminals in cities of first class, ... 126
use of bridges in municipalities, ... 777
Streets—act granting riparian lands repealed, ... 263
bond issue in cities of second class, ... 348
chief engineer in cities, ... 429
cities may issue repavement bonds, ... 506
cities may pass ordinances to pave notwithstanding objections, ... 822
designation of materials for paving in cities, ... 278
elimination of grade crossings, ... 91
improving in cities, ... 509
improvements at expense of towns, ... 78
maps showing, must be approved before filing with county clerk, .. 119
notice of intention to improve in cities, ... 56
payment of cost of paving, ... 183
payments of assessments for improvements in townships, ... 359
procedure concerning assessments in cities, ... 827

PAGE

Streets—taxation of street railway franchises, ... 448
townships may vacate, ... 111
use of bridges by trolley companies, ... 777
use of city materials in cities of first class, ... 241
vacating in boroughs, ... 758
validating improvements in cities, ... 818
Striped bass—protection of, ... 447
Subpoenas—service in court of chancery, ... 748
Subways—trolley terminal station in cities of first class, ... 126
Summer schools—courses, etc., ... 630
Superintendent of farm demonstration, ... 785
Supplemental appropriations, ... 537, 807, 808, 821, 824
Supreme court—precedence of municipal cases, ... 621
quo warranto proceedings, ... 915
salary of judges, ... 144
Surrogates—recording foreign wills, ... 355
use of loose-leaf record books, ... 214
Surveyors—township, ... 569
Swamps—completion of drainage, ... 670

T.

Taverns—licenses to sell liquors, ... 574
Taxes—appropriation to commission to investigate taxing methods, ... 53
assessment in villages, ... 50
derived from railroads devoted to schools, ... 753
determining amount due in disputed redemption cases, ... 821
exemption of schools, churches, etc., ... 570
interest and sinking fund not included in maximum rate, ... 127
map prepared for taxing purposes, ... 314
provisions of Martin act extended, ... 417
review by board of equalization, ... 788
taxation of street railway franchises, ... 448
Teachers—compulsory attendance at school, ... 399
instruction in preventing accidents, ... 407, 508
Teeth—dental clinics in cities of first class, ... 592
Tenants—judgment in district court in suit between landlord and, ... 618
removal of, ... 178, 743
Tenure—chief engineer in towns, ... 77
city marshals in cities of first class, ... 431
firemen in towns, ... 492
police in boroughs, ... 75
Terminals—trolley in cities of first class, ... 126
Thanksgiving day—proclamation, ... 891
Theatres—use regulated by board of commissioners, ... 197
Titles—change of corporate name of cities, ... 907
Titus, Franklin—act for relief, ... 367
Toll bridges—investigation by public utility commission, ... 614
Tort—fraudulent representation in advertising, ... 649
unfair trade practices, ... 377
Town of Bergen—monument to commemorate founding, ... 654
Town of Kearny—reimbursed for sewer. 104

PAGE
Towns—care of poor in hospitals, ... 65
certain boards abolished, ... 581
commissioner of deeds, ... 117
commission government, ... 836
dance halls, ... 38
divided into wards, ... 495
eight hours a day's work, ... 479
enforcement of health code, ... 640
enforcement of ordinances of board of health, ... 641
forfeiture of office, ... 116
instruction in preventing accidents, ... 508
interest, etc., on sewers not included in maximum tax rate, ... 127
investment of sinking fund, ... 425
issue sewer bonds, ... 357
liability of employers, ... 230
licenses to sell liquors, ... 574
municipal map for taxing purposes, ... 314
passage of ordinances, ... 323
provisions of Martin act extended, ... 417
removal of chief engineer, ... 77
salary of recorder, ... 606
sewer assessments, ... 264
street improvements, ... 78
tenure of firemen, ... 492
tenure of firemen in annexed municipalities, ... 235
work done by contract, ... 363
Township committee—divide township into wards, ... 336
recorder, ... 424
vacation of streets, etc., ... 111
Township recorder—appointment, ... 424, 760
Township surveyors—election of, ... 569
Township of Berkeley—incorporation of Seaside Heights, ... 44
Bridgewater—part annexed to Bound Brook, ... 202
Clementon—incorporation of Laurel Springs, ... 411
Denville—incorporated, ... 769
Dover—incorporation of Seaside Heights, ... 44
East Windsor—part annexed to Hightstown, ... 432
Hanover—drainage of flowed lands, ... 192, 632
Hanover—part annexed to Florham Park, ... 756
Hardyston—incorporation of Franklin, ... 128
Hillside—incorporation, ... 496
Long Beach—part annexed to Beach Haven, ... 420
Midland—part annexed to Delford, ... 414
Oxford—part incorporated as township of White, ... 733
Piscataway—incorporation of borough of Middlesex, ... 626
Pittsgrove—part annexed to township of Upper Pittsgrove, .. 775
Rockaway—part incorporated as township of Denville, ... 769
Union—part incorporated as township of Hillside, ... 496
Upper Pittsgrove—part of township of Pittsgrove annexed, .. 775
White—incorporation, ... 733
Townships—care of poor in hospitals, ... 65
certain boards abolished, ... 581
commissioner of deeds, ... 117

Townships—commission government, ... 836
dance halls, ... 38
divided into wards, ... 336
eight hours a day's work, ... 479
enforcement of health code, ... 640
forfeiture of office, ... 116
instruction in preventing accidents, ...407, 508
liability of employers 230
liquor licenses, ... 574
map prepared for taxing purposes, ... 314
parks along lakes, streams, etc., ... 189
passage of ordinances, ... 323
payments of assessments for street improvements, ... 359
provisions of Martin act extended, ... 417
recorder, ...424, 760
surveyors of highways, ... 569
tenure of firemen in annexed municipalities, ... 235
vacation of streets, etc., ... 111
validating bonds issued for sidewalks, ... 138
validating election to raise money for hospital, ... 180
validating sales of lands, ... 23
Traction companies—extension in cities of first class, ... 228
taxation of franchises, ... 448
terminals in cities of first class, ... 126
use of bridges in municipalities, ... 777
Traction engines—use on roads and bridges, ... 779
Trade-marks—unfair competition, ... 377
Trade practices—prevention of unfair, ... 377
Trains—full crews, ... 342
Transportation—bills of lading, ... 244
Travelers—full crews on trains, ... 342
Trials—notice of in courts of law, ... 642
Trolley companies—extension in cities of first class, ... 228
taxation of franchises, ... 448
terminals in cities of first class, ... 126
use of bridges in municipalities, ... 777
Trout—season for, ... 90
size taken, ... 319
Trust companies—branch offices, ... 223
officials not to ask or receive favors, ... 212
proceeding affecting unsound, ... 282
Trustees—transfer of real estate with consent of children, ... 227
Trusts—definition of, ... 25
Tuberculosis—additional appropriation for Hudson county hospital, ... 821
home for consumptives in southern New Jersey, ... 799
national day, ... 889
Turner, William B.—relief of, ... 87

U.

Unfair competition—to prevent unfair trade practices, ... 377
Uniform bills of lading act, ... 244
Union, township of—part incorporated as township of Hillside, ... 496
United States senators—election of, ... 794

Unpaid taxes—provisions of Martin act extended, ... 417
Upper Pittsgrove, township of—part of township of Pittsgrove annexed, ... 775
Utility commission—approve merger of corporations, ... 33
elimination of grade crossings, ... 91
full crews on trains, ... 342
grade crossing act null and void, ... 894
investigate toll bridges, ... 614
section relating to expenses repealed, ... 763
trolley terminals in cities of first class, ... 126
use of bridges by street railways, ... 777

V.

Validating bond issue—in boroughs, ...18, 35, 85, 817
in cities having ocean front, ... 21
school districts, ... 442
sidewalks in townships, ... 138
Validating conveyances—made to religious societies, etc., ... 43
Validating defective advertisements—real estate, ... 55
Validating election held under act relating to cities, etc., ... 916
Validating proceedings to raise money in townships for hospitals, ... 180
Validating sales of land—in townships, ... 23
Validating small boards of freeholders, ...14, 16, 17
Validating street improvements—in cities, ... 818
Vehicles—use on roads and bridges, ... 779
Vice-chancellors—number, ... 34
salary, ... 379
vice-ordinaries, ... 81
Vice-ordinaries—term of, ... 81
Village for epileptics—Henry M. Weeks hospital, ... 341
Villages—board of assessors, ... 50
certain boards abolished, ... 581
commission government, ... 836
dance halls, ... 38
eight hours a day's work, ... 479
enforcement of health code, ... 640
fire departments, ... 501
forfeiture of office, ... 116
instruction in preventing accidents, ...407, 508
liquor licenses, ... 574
maintenance of parks, ... 52
municipal buildings, ... 82
municipal map for taxing purposes, ... 314
passage of ordinances, ... 323
provisions of Martin act extended, ... 417
Vocational education—in public schools, ... 595

W.

Wards—towns divided into, ... 495
townships divided into, ... 336
Warehouses—docks and shipping facilities in cities, ... 107

Warrants—proceedings in criminal cases in cities of second class, ... 174
Washington Rock Park—commission, ... 224
Water commissioners—salaries in cities of first class, ... 213
use of meters in cities of first class, ... 500
Watercourses—preventing damage by overflowing, ... 58
Waterfront—safety of workmen, ... 80
Water rents—provisions of Martin act extended, ... 417
Water supply—acquire lands, rights, etc., for, ... 206
boroughs may issue bonds for water system, ... 378
cities may use artesian wells, ... 208
cities to protect source of 370
discharge of sewage, ... 329
extending time for completing water works, ... 768
meters in cities of first class, ... 500
supervision of dams and reservoirs, ... 173
Water wild fowl—decoying with grain, ... 57
pursuit of, ... 115
Water works—extending time for completing, ... 768
Wayward females—legal commitment, ... 42
Weddings—who may perform marriages, ... 74
Weights and measures—capacity of baskets, ... 125
use of false, ... 350
Wells—cities may dig artesian, ... 208
White, township of—incorporation, ... 733
Widows—act to promote home life for dependent children, ... 578
Wills—deposition of non-resident witness, ... 102
recording foreign, ... 355
Women—additional commissioners for reformatory, ... 15
appropriation to reformatory for, ... 54
chapel at reformatory, ... 376
commitment of wayward females, ... 42
commitments to reformatory, ... 164
use of hat pins, ... 422
Woodbury—paving, guttering, etc., ... 444
Workmen—eight hour law, ... 479
elevator in factories, etc., ... 330
liability of employers extended to State, county, municipalities, etc., ... 230
safety of longshoremen, ... 80
schedule of liability compensation, ... 302
Workshops—elevators, ... 330
Writ of election—proclamation for special, ... 809
Writ of quo warranto—proof in proceedings, ... 915