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LAWS—NEW JERSEY

1896



ACTS

OF THE

One Hundred and Twentieth Legislature

OF THE

STATE OF NEW JERSEY,

AND

Fifty-Second Under the New Constitution.



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1896

New Jersey State Library

The following laws, passed by the One Hundred and Twentieth Legislature, are published in accordance with "An act for the publication of the laws," passed June 13th, 1895, and a "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 by the Governor follow. An index of all the laws, compiled in accordance with the act of 1895, complete the work.

HENRY C. KELSEY,
Secretary of State.

MEMBERS
OF THE
One Hundred and Twentieth Legislature
OF NEW JERSEY.

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ATLANTIC.....	SAMUEL D. HOFFMAN.
BERGEN.....	WILLIAM M. JOHNSON.
BURLINGTON.....	WILLIAM C. PARRY.
CAMDEN.....	MAURICE A. ROGERS.
CAPE MAY.....	EDMUND L. ROSS.
CUMBERLAND.....	EDWARD C. STOKES.
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MERCER.....	WILLIAM H. SKIRM.
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PASSAIC.....	ROBERT WILLIAMS.
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SOMERSET.....	LEWIS A. THOMPSON.
SUSSEX.....	JACOB GOULD.
UNION.....	FOSTER M. VOORHEES.
WARREN.....	CHRISTOPHER F. STAATES.

ASSEMBLYMEN.

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BERGEN.....	JACOB H. ULLMANN, FREDERICK L. VOORHEES.
BURLINGTON.....	GEORGE WILDES, JOSHUA E. BORTON.
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MEMBERS.

7

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WARREN	ALFRED L. FLUMMERFELT, WILLIAM K. BOWERS.



LAWS.

ACTS

PASSED BY THE

One Hundred and Twentieth Legislature

CHAPTER 1.

A Supplement to the act entitled "An act relative to statutes," approved March twenty-seventh, eighteen hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all laws of this State shall begin in the following style: "Be it enacted by the Senate and General Assembly of the State of New Jersey:" after which shall follow the sections numbered consecutively 1, 2, 3, etc., with the Arabic numerals, each number being followed immediately by the significant words of the section, without the prefix of the word "that" or the words "and be it enacted," or any other formal prefix whatsoever; and it shall be the duty of the committees and the engrossing clerks of the houses of the legislature to see that all bills are engrossed in conformity to the provisions of this act.

Style of enacting clause of laws.

2. Arabic numerals shall hereafter be used to designate the number of the chapters of the several laws in the order in which they are enacted.

Bills, how engrossed

Arabic numerals to designate chapters.

3. This act shall take effect immediately.

Approved February 4, 1896.

JOHN W. GRIGGS,
Governor.

L. A. THOMPSON,
President of the Senate.

LOUIS T. DEROUSSE,
Speaker of the House of Assembly.

CHAPTER 2.

An Act making an appropriation to defray the incidental expenses incurred by the joint committee on inauguration.

Appropriation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That two thousand two hundred and thirty-two dollars, or so much thereof as may be necessary, is hereby appropriated to defray the incidental expenses incurred by the joint committee of the legislature on the inauguration of the governor.

State Treasurer
to pay bills.

2. All bills for expenses shall be approved by the committee or a majority thereof, and when audited by the comptroller, he shall draw his warrants on the state treasurer for the amounts who is hereby authorized to pay the same.

3. This act shall take effect immediately.

Approved February 11, 1896.

CHAPTER 3.

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

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

1. That in each city of this state having a population exceeding forty thousand, the charter election and all elections for municipal offices shall be held and conducted as the election for members of the general assembly "were held and conducted at the last election for members of the general assembly preceding the time of holding such charter election or elections for municipal officers," and by the same boards of registry and election provided for the carrying on of the said election for members of the general assembly.

Elections, how conducted.

2. It shall be the duty of district boards of registry and election to make, alter and revise, as the case may require, the registry of voters within and for the several districts or voting precincts of such municipalities respectively, and also to hold and conduct all charter elections and elections for municipal offices in said cities; *provided, however,* that where the election districts or voting precincts have remained unchanged in such municipalities, it shall not be necessary for said district boards of registry and election to make a new registry of the voters for such election district or voting precinct, but only to revise and correct the same, and for that purpose the said district boards of registry and election shall meet at the places in their respective election districts or precincts where the next election will be held, on Tuesday four weeks next preceding the charter election or election for municipal officers, and finally on the Tuesday three weeks next preceding the said elections, said meetings to begin at one o'clock in the afternoon and to continue until nine o'clock in the evening, for

District boards to conduct all elections.

Proviso.

the purpose of revising and correcting the registry and of adding thereto the names of all persons entitled to the right of suffrage in that election district or precinct at the next 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 in that election district or precinct at the next charter election or election for municipal officers therein, or who shall be shown by the written affidavits of a voter residing in the same election district or precinct to be so entitled 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.

City clerk to notify county boards of changes of election districts.

3. Where the territorial districts or voting precincts shall have been changed between the time of holding the election of members of the general assembly and the time of holding any charter election or election for municipal officers, it shall be the duty of the city clerk of said city in which such change shall have been made, to at once notify the county boards of election thereof, by a certificate signed by him and sealed with the city seal, and it shall be the duty of the county board of election to forthwith notify the chairman of the county committee of each of the two political parties which at the last preceding general election cast the largest and next largest number of votes in their respective counties for members of the general assembly, directing said chairman within ten days or shorter time, if said board of election thinks necessary, to nominate election officers for such new election districts or voting precincts; and it shall be the duty of the county board of election within five days thereafter to appoint the election officers for such new or changed districts in the manner required by law; the district boards of registry and election so appointed for such newly created districts in said city shall meet on Tuesday five weeks next preceding the next charter election or election for municipal officers in said city, at one o'clock in the afternoon, at the places in their respective election districts or precincts where the next election will be held, and continue in session until nine o'clock in the evening, for the purpose of registering the names of all legal voters resident

County board to appoint election officers.

When district boards to meet.

in the election district or precinct for which they are appointed; they shall make two lists of registries, arranged by streets in the alphabetical order of said streets, and by street numbers if any there be, and if not, by the order of the houses as they occur on the avenue, street or road in such district or precinct; they shall register the names of all persons in their election district or precinct entitled to the right of suffrage therein at the next charter election or election for municipal officers, who shall appear before them for that purpose, and such other persons as shall be shown by the written affidavit of a voter residing in the same election district to be lawfully entitled to vote at the ensuing charter election or election for municipal officers; *provided*, that no person shall be registered if his right is challenged unless he shall by affidavit or otherwise prove to the satisfaction of the majority of the board that he is entitled to vote in that election district or precinct at the next election therein; *and provided*, that no person so applying shall be registered unless the majority of the board of registry and election shall be satisfied that he will be entitled to vote at the ensuing charter election or election for municipal officers in that precinct; on the day succeeding such meeting a copy of the registry as made up and arranged under the provisions of this section shall be posted by each of the clerks, in hand-bill form, in some conspicuous place in such election district; the said district boards of registry and election shall also meet in the same place and at the same time on Tuesday four weeks next preceding the charter election or election for municipal officers, and finally on Tuesday three weeks next preceding such election, for the purpose of revising and correcting the registry and adding thereto the names of all persons entitled to the right of suffrage in that election district or precinct at the said next election, who shall appear before them and establish to the satisfaction of a majority of the board that they are entitled to vote in that election district or precinct at the next election therein, or who shall be shown by the written affidavit of a voter residing in the same election district or precinct to be entitled to vote; a separate affidavit shall be required for each person so registered, which shall

Registry lists to be made.

Proviso.

Proviso.

contain the address of the affiant and be signed by him ; such affidavit or affidavits shall be preserved in the custody of the member of the board of registry and election acting as judge until the completion of the registry, and the said affidavit shall be delivered to the county board of elections, to be preserved and treated in the same manner as like affidavits received by district boards of registry and elections at elections of members for the general assembly.

County and district boards to perform all duties, etc.

4. The county board of elections and the district boards of registry and election shall at said charter election, or election for municipal officers, perform all the duties required by them to be performed in elections for members of the general assembly ; they shall be subject to like penalties and entitled to like compensation.

County boards to deliver copy of registry lists to city clerks.

5. The county boards of election shall deliver to the city clerk of the city in which a charter election or election for municipal officers is to be held, as herein provided, a copy of the registry lists filed with said county board of elections at the previous election for members of the general assembly, to be by the said city clerk delivered to the district boards of registry and election six weeks at least preceding the time fixed for holding any charter election or election for municipal officers in said city.

City clerk to publish notice of meetings of district boards.

6. It shall be the duty of the city clerk in each of the said cities to give notice by publication in the form required by law for elections of members of the general assembly of the time and place of the meetings of the district board of registry and election at least two weeks before the first day upon which such district boards of registry and election shall meet.

County boards to canvass vote at charter elections.

7. The county board of elections shall canvass the votes at charter elections for elections for municipal officers in the same manner in which they are required by law to canvass the votes for members of the general assembly.

8. This act shall take effect immediately.

Approved February 19, 1896.

CHAPTER 4.

An Act to repeal an act entitled "Supplement to an act entitled 'An act concerning taxes,' approved April fourteenth, one thousand eight hundred and forty-six," which supplemental act was approved March twenty-second, one thousand eight hundred and ninety-five.

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

That the supplement to an act entitled "An act concerning taxes, approved April fourteenth, one thousand eight hundred and forty-six," which supplement was approved March twenty-second, one thousand eight hundred and ninety-five, be and the same is hereby repealed. Repealer.

2. This act shall take effect immediately.

Approved February 24, 1896.

CHAPTER 5.

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.

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

Bonds may be issued for construction of public walks.

Amount.

Public walks may be re-located in whole or in part.

1. Where any public walk or walks have been or may be constructed or built under the authority of the act to which this is a further supplement, it shall be lawful for the common council or other governing body of said city to issue in the name of the said city, in the manner and way provided in section seven of the act to which this is a further supplement, its bonds in amount not exceeding the sum of two hundred thousand dollars, to be designated "city improvement bonds," the proceeds of the sale of said bonds at not less than par to be used, under the direction of the common council or other governing body of said city, for the purpose of renewing, rebuilding, repairing and maintaining said public walk or walks.

2. The common council or other governing body of said city may, by ordinance, re-locate in whole or in part any public walk or walks which may have been constructed or built or may hereafter be constructed or built under the provisions of the act to which this is a further supplement, as in their judgment shall be to the

best interest of the public; *provided, however*, that where in any such city an elevated walk has been heretofore constructed along the beach or ocean front on or near the line of high-water mark, whether within or without the said line, such line may be established and fixed so far inland as the interior line of such walk heretofore constructed. Proviso.

3. It shall be lawful for the common council or other governing body of said city to re-convey to any person, persons or corporation that have heretofore dedicated any property to the city for the purposes of the act to which this is a further supplement, upon the owner or owners dedicating to the city, for the purposes of the act to which this is a further supplement, a like piece of land on the re-located line, in consideration of the city's re-conveying as aforesaid. Dedicated property may be re-conveyed, &c.

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

Approved February 25, 1896.

CHAPTER 6.

An Act to repeal an act entitled "An act relating to vacancies in the office of alderman or common councilman, or in the boards of aldermen or common councils, in the cities of the first class in this state," passed June thirteenth, one thousand eight hundred and ninety-five, and relating to the terms of office of aldermen or common councilmen, or members of boards of aldermen or common councils in cities of the first class in this state appointed under the said act.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That An act entitled "An act relating to vacancies in the office of alderman or com- Act repealed.

mon councilman, or in boards of aldermen or common councils, in cities of the first class in this state," passed June thirteenth, one thousand eight hundred and ninety-five, be and the same hereby is repealed.

Members to
continue in
office.

2. Any and all members of the board of aldermen or common council in any city of the first class in this state heretofore appointed to fill any vacancy or vacancies under the provisions of the act aforesaid shall continue in office and perform the duties thereof for the remainder of the period or time for which he or they shall have been appointed as aforesaid.

3. This act shall take effect immediately.

Approved February 26, 1896.

CHAPTER 7.

An Act for the consideration of a general system of sewage disposal for the valley of the Passaic river and the prevention of the pollution thereof.

Appointments
to be made by
Governor.

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

May employ
engineer, etc.

1. The governor shall appoint three persons, citizens of this state, who shall consider the subject of the pollution of the Passaic river and of a general system of sewage disposal for the relief of the valley of the Passaic river.

Report to the
Legislature.

2. Said persons so appointed shall have power to employ such engineering and other assistance as may be necessary for carrying out the objects of this act; they shall consider the various methods of disposal of sewage and the application of such methods to the whole or any portion of the territory herein mentioned, and shall report their conclusions in print to the legislature, without unnecessary delay, for the whole or a portion of said territory; they may include in their report suitable maps and plans of the territory to be drained, methods of executing the work, an estimate of the cost of the work

and a recommendation as to the methods of apportioning such cost; the sum of ten thousand dollars is hereby appropriated to defray the expenses of said investigation and report, but all expenditures shall be subject to the approval of the governor.

3. This act shall take effect immediately.

Approved February 26, 1896.

CHAPTER 8.

An Act to regulate the use of bicycles, tricycles and similar vehicles and to require uniformity of ordinances affecting the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the several cities, towns, boroughs, villages, townships and other municipalities of this state shall have power to pass ordinances regulating the use of bicycles, tricycles and similar vehicles on the public highways, streets, squares and parks within their limits in accordance with the provisions of this act, that is to say:

I. To require all bicycles, tricycles and similar vehicles, when in use on such public highways, streets or places, to have a lamp of such illuminating power as to be plainly seen one hundred yards ahead, attached thereto and kept lighted between one hour after sunset and sunrise;

II. To require all such bicycles, tricycles or similar vehicles to carry a suitable alarm bell, attached to the handle-bar of such machine, which when rung may be heard one hundred feet distant;

III. To regulate the rate of speed at which it may be lawful to ride such machine, provided that no ordinance or regulation respecting such rate of speed shall be made to apply exclusively to bicycles, tricycles or similar vehicles, but the same limitations shall apply to

the rate of speed of carriages and all other vehicles on said public roads and streets.

Grant permits.

IV. To permit the authorities of such municipality having charge of the public highways, streets, squares or parks, in their discretion, upon any special occasion, to grant permits to any person or persons to ride such machines during a specified time, upon specified portions of the public ways of such city, town, borough, village, township or other municipality, at any rate of speed, and may annex such other reasonable conditions to such permits as they shall deem proper; and the said authorities of such municipality may also, under such conditions as they shall deem proper, permit the use of velocipedes or other similar machines by children on any sidewalk in any public way, square or park in such municipality;

Prohibit riding on sidewalks.

V. To regulate or prohibit the riding of any bicycle, tricycle or similar machine upon the sidewalks within the limits of any city, town, borough, village, township or other municipality; the term "sidewalk," as used in this act, meaning any sidewalk laid out as such by any city, town, borough, village, township or other municipality, which is reserved by custom for the use of pedestrians and which has been specially prepared for their use, but not including foot-paths or portions of public roads lying outside of the thickly settled parts of cities and towns which are worn only by travel and are not improved by the public authorities or by the abutting owners;

Penalty for violations of ordinances.

VI. To provide that every violation of any such ordinance shall render the offender subject to a fine not exceeding the sum of five dollars for each offence, and that by such ordinance it shall be provided that the justice, police judge, recorder or other magistrate who may have jurisdiction over such offences in violation of any such ordinance, may impose such fine in his discretion as he may think proper, not exceeding the sum of five dollars for each offence.

No power to make ordinances, &c., except as provided in this act.

2. No city, town, borough, village, township or other municipality shall have any power to make any ordinance, by-law or regulation respecting the use of bicycles or tricycles except as provided in this act; and, except as provided in this act, no ordinance, by-law or regulation heretofore or hereafter made by a city, town,

borough, village, township or other municipality in respect to bicycles or tricycles shall have any force or effect.

Ordinances heretofore or hereafter made of no force or effect.

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

Repealer.

4. This act shall take effect immediately.

Approved March 3, 1896.

CHAPTER 9.

An Act to authorize the dissolution of railroad corporations under certain conditions.

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

1. Whenever any railroad corporation of this state shall have heretofore or hereafter for a period of five years wholly abandoned the operation of its railroad, and the holders of ninety per centum of its capital stock shall desire and determine to dissolve said corporation, it shall be lawful to effect such dissolution by filing in the office of the secretary of state a certificate of such determination, under the corporate seal and attested by the president and secretary of said corporation, and upon the filing of such certificate said corporation shall be dissolved, and all its rights, powers, privileges and franchises wholly surrendered and at an end; and thereupon it shall be the duty of the persons who were directors of said corporation at the time of such dissolution to proceed as trustees for the creditors and stockholders of said corporation so dissolved, to sell and convert into cash all its property and assets of every description, and after deducting thereout the expenses of said proceeding, to apply said assets to the payment of the debts of said corporation, and, if any balance shall thereafter remain, to distribute the same among

Railroad corporations, how dissolved.

the several stockholders in proportion to their respective shares.

2. This act shall take effect immediately.

Approved March 3, 1896.

CHAPTER 10.

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

Sales of land
not invalidated.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That no sale of land heretofore made under an act entitled "An act to authorize cemetery associations to sell and convey certain portions of their lands for other than burial purposes, and to provide for the disposition of the proceeds of such sale," approved June twenty-second, one thousand eight hundred and eighty-six, shall be invalidated by reason of omission to set up "notice by public advertisement in five or more public places, one whereof shall be in the township where such real estate is situate," or on account of any inaccuracy in regard to the name of the purchaser of said lands in the advertisements required by the act last above referred to; *provided*, notice by public advertisement of the time and place for the sale of said lands shall have been published in two newspapers nearest to the place in the county in which said lands are situate, and said notice shall have been inserted in said newspapers at least four weeks successively, once a week, next preceding the time appointed for selling the same, and at the time and place so appointed, between the hours of twelve and five in the afternoon, said lands shall have been sold.

Proviso.

2. This act shall take effect immediately.

Approved March 3, 1896.

CHAPTER 11.

An Act to enable cities to sell and dispose of any contingent interest or estate in certain lands limited to a particular public use.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, It shall be lawful for any city or municipal corporation entitled to a contingent interest or estate in lands held by any religious society incorporated under the laws of this state, and which said interest or estate is or may be limited to a particular public use, to sell and dispose of the same, whenever, in the judgment of a majority of its common council or other governing body, the use thereof for the purpose limited as aforesaid has or shall become impracticable, or the public good will best be promoted thereby.

Cities may sell and dispose of contingent interest or estate in certain lands.

2. This act shall take effect immediately.

Approved March 3, 1896.

CHAPTER 12.

An Act relating to district courts in this state.

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

1. The judge of any district court in this state, whether created by general or special statute, may practice in any court of this state, except in another district court or in the court of common pleas in cases of appeals taken from a district court.

Judges may practice in courts.

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

Approved March 3, 1896.

CHAPTER 13.

An Act approving of the union, consolidation and merger of the Pennsylvania and New Jersey railroad company (incorporated under the laws of the commonwealth of Pennsylvania), and the Pennsylvania and New Jersey railroad company (incorporated under the laws of the state of New Jersey).

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

Consolidation
approved.

1. The scheme of union, consolidation and merger of the Pennsylvania and New Jersey railroad company (incorporated under the laws of the commonwealth of Pennsylvania), and the Pennsylvania and New Jersey railroad company (incorporated under the laws of the state of New Jersey), submitted to the legislature of this state for its consideration (a copy of which is attached hereto and made a part hereof), is hereby approved by this act passed for that purpose.

2. This act shall take effect immediately.

Approved March 3, 1896.

AN AGREEMENT of Consolidation and Merger, made the seventeenth day of January, A. D. 1896, by and between the PENNSYLVANIA AND NEW JERSEY RAILROAD COMPANY, a corporation existing under the laws of the Commonwealth of Pennsylvania, and the PENNSYLVANIA AND NEW JERSEY RAILROAD COMPANY, a corporation existing under the laws of the State of New Jersey.

Whereas, the said Pennsylvania and New Jersey Railroad Company was organized under the laws of the

Commonwealth of Pennsylvania, by virtue of Articles of Association filed in the office of the Secretary of the said Commonwealth on May 4th, 1894, and Letters Patent issued thereto of the same date, with authority to construct a railroad from a point on the line of the Connecting Railway at or near its crossing of the Frankford Avenue, in the Twenty-fifth Ward of the City of Philadelphia; thence eastwardly and southeastwardly, via a point at, or near, the foot of Roxborough Street, on the Delaware River, in the said Ward, to a point on the line dividing the States of Pennsylvania and New Jersey, a distance of about two miles, with the right to construct the same as an elevated structure, pursuant to the provisions of the supplement to the Act of April 4th, 1868, of said Commonwealth, approved May 31st, 1887; the said railroad being under construction and now nearing completion; the said Company has an authorized Capital Stock of three hundred thousand dollars, composed of six thousand shares of the par value of fifty dollars each, all of which has been full-paid in cash and is now outstanding;

And Whereas, The said Pennsylvania and New Jersey Railroad Company was organized under the laws of the State of New Jersey, by virtue of Articles of Association filed in the office of the Secretary of State of the State of New Jersey on May 8th, 1894, with authority to construct, maintain, and operate a railroad from a point at or near Merchantville, in the County of Camden, to a point of connection with the railroad of the Pennsylvania and New Jersey Railroad Company (of Pennsylvania) on the dividing line between the States of Pennsylvania and New Jersey, opposite Delair Station in said County of Camden, a distance of about two miles, together with Branches thereof numbered one, two and three respectively, and aggregating in length about five and one-half miles, the whole of said railroad and Branches being now under construction and nearing completion; the said Company having an authorized Capital Stock of one hundred thousand dollars, composed of two thousand shares of the par value of fifty dollars each, which said Capital Stock has since that date, that is to say, on December 19th, A. D. 1895, been increased, as provided by law, to one million dollars,

composed of twenty thousand shares, of the par value of fifty dollars each, of which there have been full-paid in cash and are now outstanding two thousand shares of the par value of fifty dollars each, amounting in the aggregate to one hundred thousand dollars;

And Whereas, The railroads of the said Companies, parties hereto, do connect and form a continuous line of railroad;

And Whereas, It is the desire of the said Companies, parties hereto, as expressed by the action of the Board of Directors of each Company, to Unite, Merge, and Consolidate their Capital Stock, Franchises, and Properties, as by law they are authorized in that behalf to do.

Now this Agreement Witnesseth, That the said Companies, parties hereto, in consideration of the premises do hereby agree, that upon the due approval of this Agreement by the Stockholders of the said Companies, parties hereto, and the filing of this Agreement, or a copy thereof, with the Secretary of the Commonwealth of Pennsylvania and the Secretary of State of the State of New Jersey, and upon the approval of the said Agreement by the Legislature of the State of New Jersey, and observance of all other conditions, as required by the provisions of an Act of said Legislature, approved May 2d, A. D. 1885, they, the said Companies, parties hereto, shall be deemed and taken to be one Corporation, by the name provided in this agreement and Act of Union, Consolidation, and Merger, possessing within the States of Pennsylvania and New Jersey all the rights, privileges, and franchises, and subject to all the restrictions, disabilities, and duties of each of said Companies, parties hereto. The terms and conditions of said Union, Consolidation, and Merger shall be and are as follows:

First.—The name, style and title of the said Consolidated Corporation shall be the “Delaware River Railroad and Bridge Company.”

Second.—The number of Directors of said Consolidated Corporation shall be seven; and the names and places of residence of the seven Directors of the said Consolidated Corporation, who shall be the first Directors thereof, and who shall manage its affairs until

others are duly elected and qualified in their stead, are as follows:—

HENRY D. WELSH,	- - - - -	Philadelphia, Pa.
SAMUEL REA,	- - - - -	Bryn Mawr, Pa.
JOHN P. GREEN,	- - - - -	Philadelphia, Pa.
GEORGE WOOD,	- - - - -	“ “
W. J. SEWELL,	- - - - -	Camden, N. J.
A. O. DAYTON,	- - - - -	“ “
WILLIAM BETTLE,	- - - - -	Oaklyn, N. J.

Third.—The officers of the said Consolidated Corporation who shall hold their respective offices until others are duly qualified in their stead are as follows:—

President,	- - - - -	HENRY D. WELSH;
Secretary,	- - - - -	JAMES R. McCLURE;
Treasurer,	- - - - -	TABER ASHTON.

Fourth.—The number of shares of the Capital Stock of said Consolidated Corporation shall be twenty-six thousand shares, of the par value of fifty dollars each, amounting to one million three hundred thousand dollars (\$1,300,000).

Fifth.—That the said Consolidated Corporation shall be subject to, and regulated by, the corporate rights, franchises, privileges, duties and obligations existing under, or by force of, each, any or all of the said several Articles of Association and Letters Patent thereunder as aforesaid, and the several Acts of Assembly, principal or supplementary, of the said States of Pennsylvania and New Jersey, relating to each, or both, of said Companies, parties hereto.

Sixth.—The Capital Stock of each of the said Companies, parties hereto, shall be converted into that of the said Consolidated Corporation in the manner following:—

There shall be issued to the holders of the Capital Stock of each of said Companies, parties hereto, in lieu of or exchange for said Capital Stock, upon surrender thereof, an equivalent amount at par, share for share, of the Capital Stock of the said Consolidated Corporation. The remainder or balance of the authorized Capital Stock of the said Consolidated Corporation not issued to the said Stockholders shall, after the conversion of the Stock of the said Companies, parties hereto, be, and remain, the property of the said Consolidated Corpora-

tion, and subscriptions may be received for said remainder or balance of Stock, and the same may be issued from time to time, as to the Board of Directors of the said Consolidated Corporation shall seem meet, without requiring as a condition precedent to such issuance and sale of said Stock any further or other authority of the Stockholders of the said Consolidated Corporation than is herein, and hereby given.

Seventh.—The first Annual Meeting of the Stockholders of the said Consolidated Corporation, at which Directors shall be elected, shall be held in the Borough of Merchantville, State of New Jersey, on the first Monday of February, 1897, and thereafter on the first Monday of February in each succeeding year (unless the time of said Annual Meeting and election should be by due authority changed, and then thereafter at the time so fixed), and the election for said Directors shall be conducted in such manner and under such lawful regulations as may be prescribed by the By-Laws of the said Consolidated Corporation; but in electing Directors the Stockholders shall designate one of the Directors elected to act as President, and the person so designated shall be thereafter duly elected President by the Directors; and the Board of Directors elected at any Annual Meeting, and duly qualified, shall continue in office for one year or until their successors are duly elected and qualified. In the event of the day fixed for holding the Annual Meeting and the election of Directors being duly designated a legal holiday, the Annual Meeting and election shall be held on the day following not a legal holiday. The Board of Directors shall elect, as hereinbefore provided, a President from their own number, and a Secretary, Treasurer, and such other Officers as may, in their judgment, be necessary, and in such manner and under such regulations as may be prescribed by the By-Laws of the said Consolidated Corporation.

Eighth.—Upon the consummation of this act of Union, Consolidation and Merger, all and singular the rights, privileges, and franchises of each of said Companies, parties hereto, and all the property, real, personal, and mixed, and all the debts due on whatever account, as well as of Stock subscriptions and other things in action

belonging to each of said Companies, parties hereto, shall be taken and deemed to be transferred to, and vested in, the said Consolidated Corporation without further act or deed; and all property, rights of way, and all and every other interests, shall be as effectually the property of the said the Consolidated Corporation as they were of the said Companies parties hereto; and the title to real estate, either by deed or otherwise, under the laws of the said Commonwealth of Pennsylvania and of the said State of New Jersey, vested in either of said Companies, parties hereto, shall not be deemed to revert, or be in any way impaired, by reason of this act and Agreement of Union, Consolidation and Merger. *Provided, however,* That all the rights of creditors, and all liens upon the property of either of the said Companies, parties hereto, shall be preserved unimpaired, and the said Companies, parties hereto, may be deemed to continue in existence to preserve the same; and all debts, liabilities, and duties of either of said Companies, parties hereto, shall thenceforth attach to said Consolidated Corporation and be enforced against it to the same extent as if said debts, liabilities, and duties had been incurred or contracted by it.

In Witness Whereof, The said Pennsylvania and New Jersey Railroad Company, incorporated under the laws of the Commonwealth of Pennsylvania and the said Pennsylvania and New Jersey Railroad Company, incorporated under the laws of the State of New Jersey, have each caused this Agreement to be signed by their respective Presidents, and have hereunto affixed their respective common or corporate seals, duly attested, and have further caused the same to be signed by all of their respective Directors, the day and year first above written.

{ Seal of the
Pennsylvania
and New Jersey
Railroad Com-
pany of Penn-
sylvania. }

PENNSYLVANIA AND NEW JERSEY
RAILROAD COMPANY,
By HENRY D. WELSH,
President.

Attest :

ALBERT HEWSON,
Secretary.

Signed, sealed and delivered

in presence of us :

ALBERT HEWSON,
W. B. SCHOFIELD.

Signed in the presence
of us :

ALBERT HEWSON,
W. B. SCHOFIELD.

W. H. BARNES,
JNO. P. GREEN,
CHAS. E. PUGH,
SAM'L REA,
N. P. SHORTRIDGE,
GEORGE WOOD,

*Directors of the Pennsylvania and New Jersey
Railroad Company (of Pennsylvania).*

{ Seal of the
Pennsylvania
and New Jersey
Railroad Com-
pany (of New
Jersey). }

PENNSYLVANIA AND NEW JERSEY
RAILROAD COMPANY,

By

HENRY D. WELSH,
President.

Attest :

JAS. R. McCLURE,
Secretary.

Signed sealed, and delivered

in presence of us :

JAS. R. McCLURE,
W. B. SCHOFIELD.

Signed in presence
of us :

JAS. R. McCLURE,
W. B. SCHOFIELD.

W. J. SEWELL,
A. O. DAYTON,
WILSON BROWN,
WILLIAM BETTLE,
HENRY D. WELSH,
WM. A. PATTON,
SAM'L REA,

*Directors of the Pennsylvania and New Jersey
Railroad Company (of New Jersey).*

COMMONWEALTH OF PENNSYLVANIA, } ss.
CITY OF PHILADELPHIA,

Be it Remembered, That on the 14th day of February,
A. D. 1896, before me, the subscriber, a Notary Public
for the Commonwealth of Pennsylvania, residing in the
said City of Philadelphia, personally appeared Albert
Hewson, who, being affirmed according to law, declared
and said that he is the Secretary of the Pennsylvania

and New Jersey Railroad Company (of Pennsylvania), one of the parties to the foregoing Agreement of Consolidation and Merger; that he was personally present at the execution of the said Agreement, and saw the corporate seal of the said Company affixed thereto; that Henry D. Welsh, the President of the said Company, did then sign, seal and deliver the said Agreement as his act and deed, and as the act and deed of the said Company, by virtue of the authority vested in him as such President, and in pursuance of a resolution of the Board of Directors of the said Company passed at a meeting of the said Board, held the seventeenth day of January, A. D. 1896, and desire that the said Agreement might be filed as such act and deed; that the said seal so affixed is the common or corporate seal of the said Company; that he, the affiant, at the same time signed his name to the said Agreement as a subscribing witness thereto, and as the said secretary in attestation of the due execution and delivery thereof; and that the names of the said President and of the Directors of said Company and of this affiant, subscribed to the said Agreement as aforesaid, are of their own proper and respective handwriting.

ALBERT HEWSON.

Affirmed and subscribed before me, the day and year first aforesaid.

Witness my hand notarial seal.

{ Notarial }
{ Seal. }

PARKER S. WILLIAMS,
Notary Public.

STATE OF NEW JERSEY, ss.

Be it Remembered, That on this fourteenth day of February, A. D. 1896, before me, Hugh B. Ely, a Master in the Court of Chancery of the State of New Jersey, personally appeared James R. McClure, who, being by me duly sworn according to law, on his oath saith that he is the Secretary of the Pennsylvania and New Jersey Railroad Company (of New Jersey), one of the within contracting parties; that Henry D. Welsh is the President of the same; that the seal affixed to the foregoing Agreement of Consolidation and Merger is the corporate seal of the said Company; and that the said Henry D. Welsh, as such President, signed said Agree-

ment and affixed said corporate seal thereto, and delivered the same as the voluntary act and deed of the said Company, in the presence of the deponent, and by the authority of the Board of Directors of the said Company, for the uses and purposes therein expressed, given at a meeting of the said Board held on the seventeenth day of January, A. D. 1896, and that he, the said James R. McClure, did, at the execution thereof, attest the same and subscribe his name as witness thereto, and as a witness to the signatures of the Directors of the said Company thereto affixed.

JAS. R. McCLURE.

Subscribed to and sworn before me, the day and year aforesaid.

HUGH B. ELY,
M. C. C., State of New Jersey.

I, Albert Hewson, Secretary of the Pennsylvania and New Jersey Railroad Company, incorporated under the laws of the Commonwealth of Pennsylvania, do hereby certify that at a meeting of the Stockholders of the said Company, duly convened at Philadelphia on the fourth day of February, A.D. 1896, for the purpose of taking the foregoing Agreement of Consolidation and Merger into consideration, and taking a ballot upon the adoption or rejection of the same, all the votes of all the Stockholders of the said Company were cast at the said meeting, and that all the votes cast were in favor of the adoption of the above and foregoing Agreement and the Consolidation and Merger therein mentioned and provided for.

In Testimony Whereof, I have hereunto subscribed my name and affixed the corporate seal of the Pennsylvania and New Jersey Railroad Company, this fourth day of February, A. D. 1896.

{ Seal of the
Pennsylvania
and New Jersey
Railroad Com-
pany (of Penn-
sylvania). }

ALBERT HEWSON,
*Secretary of the Pennsylvania and New
Jersey Railroad Company.*

I, James R. McClure, Secretary of the Pennsylvania and New Jersey Railroad Company, a corporation existing under the laws of the State of New Jersey, do hereby certify that at a meeting of the Stockholders of the said Company, duly called as by law required, and held in the City of Camden, N. J., on the fourth day of February, 1896, for the purpose of taking the foregoing Agreement of Consolidation and Merger into consideration, and taking a ballot upon the adoption or rejection of the same, all the votes of all the Stockholders of the said Company were cast at the said meeting, and that all the votes cast were in favor of the adoption of the above foregoing Agreement and the Consolidation and Merger therein mentioned and provided for.

In Testimony Whereof, I have hereunto subscribed my name and affixed the corporate seal of the Pennsylvania and New Jersey Railroad Company, this fourth day of February, A.D. 1896.

{ Seal of the
Pennsylvania
and New Jersey
Railroad Com-
pany (of New
Jersey.) }

JAS. R. McCLURE,
*Secretary of the Pennsylvania and
New Jersey Railroad Company.*

CHAPTER 14.

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

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

1. All gatling gun companies shall be allowed one assistant surgeon with the rank of first lieutenant, one hospital steward and one quartermaster sergeant. Officers allowed.

2. This act shall take effect immediately.

Approved March 3, 1896.

CHAPTER 15.

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

Directors to certify amount of money necessary for purchase of lands or erection of buildings, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, When, in the judgment of the board of directors of the public library and reading room in any city other than of the first class of this state, which public library and reading room has been established and organized under and pursuant to the provisions of the act to which this is a supplement, either in its original form or as amended, it is necessary and advisable to purchase lands or to erect buildings or to make additions to or changes in any buildings already erected for the purposes of a public library and reading room, or a library, art gallery and museum, or for the improvement and enlargement of such library or art gallery or museum, or any or all of them, and said board shall determine that the estimated cost of such purchase of lands or erection of buildings or change or enlargement thereof, will exceed the amount which could be spared from the annual appropriation to support such library and reading room in such city for such purpose or purposes, after defraying the current and usual expenses of such library and reading room, in any year, said board of directors may at any time prior to April first in any calendar year certify to the common council or other board having charge and control of the finances of the city in which such public library and reading room is situated, the amount of money necessary for the purpose of making such purchase of land or erection or enlargement of or change in buildings, and thereupon the common council or other board having charge or control of the finances of such city, may, by resolution, at its discretion, with the consent of the mayor of

such city, authorize and empower the said board of directors to expend such moneys as to the said common council or other board having charge or control of the finances of such city may seem proper for such purposes or any of them, not to exceed, however, the amount certified as aforesaid by said board of directors of such public library and reading room not exceeding in any year two mills on the dollar on the assessed valuation for such year of the taxable property in such city, and upon the passage of such resolution the said board of directors shall be empowered and authorized, by and with the consent of the mayor of any such city, to purchase real estate, to erect buildings or to make enlargements or changes in buildings already erected, and expend moneys therefor from the taxes to be assessed and collected for such purpose or purposes to the amount of such appropriation, and such common council or other board having charge and control of the finances of such city shall, upon the adoption of such resolution and its approval by the mayor, order and cause to be assessed and raised by tax in such year, for such purpose, in addition to the other amounts to be assessed and raised by tax in said city for such year, an amount sufficient for such appropriation, such tax to be levied and collected in like manner with other general taxes of said city and to be added to the library fund.

Moneys—by whom appropriated and how expended.

Amount.

Directors to purchase lands and erect buildings.

Appropriation to be assessed and raised by tax.

2. This act shall take effect immediately.

Approved March 5, 1896.

CHAPTER 16.

An Act concerning elections.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, It shall be unlawful to hold any national, state or municipal election in the bar-room of any inn, tavern or saloon where intoxicating liquors are licensed to be sold.

Where unlawful to hold elections.

Approved March 5, 1896.

CHAPTER 17.

An Act to amend an act entitled "An act authorizing any town, township or borough, or part thereof, containing a population exceeding five thousand inhabitants to be incorporated as a city, after a vote of the people, and providing for the government and powers of such cities," approved March twenty-second, one thousand eight hundred and ninety-five.

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

Special election,
how held and
conducted.

Ballots, what to
contain.

4. Any special election held under the provisions of this act shall be by ballot, and shall be held and conducted under the general acts respecting elections, and the votes shall be canvassed and counted in the manner provided by law for canvassing and counting votes at town or local elections held in such town, borough, township or part thereof; the ballots shall contain the words "for incorporation as a city under the act entitled 'An act authorizing any town, township or borough, or part thereof, containing a population exceeding five thousand inhabitants to be incorporated as a city, after a vote of the people, and providing for the government and powers of such cities;'" or "against incorporation as a city under the act entitled 'An act authorizing any town, township or borough or part thereof containing a population exceeding five thousand inhabitants to be incorporated as a city, after a vote of the people, and providing for the government and powers of such cities;'" and in case the question of incorporation as a city under this act shall be submitted at a town or charter meeting or election, the words "for incorporation as a city under the act entitled 'An act authorizing any town, township or borough, or part thereof, containing a population exceeding five thousand

inhabitants to be incorporated as a city, after a vote by the people, and providing for the government and powers of such cities,'” shall be printed on each ballot beneath the list of candidates thereon; if said words or proposition be marked off or defaced upon the ballot it shall be counted as a vote against the same; if not marked off or defaced the ballot shall be counted as a vote in favor thereof; if a majority of the votes so cast at any special town or charter meeting or election shall be in favor of incorporation as a city under this act, then, within three days after the result of the election shall have been declared, a certificate of the result of such election, signed by the chairman of the council, committee or governing body of such town, borough, township or part thereof, and attested by the clerk thereof, together with certified copies of the petition, ordinance and statement of the board of canvassers or election officers who canvassed the vote, and proof by affidavits that due notice of such election was given, shall be filed with the secretary of state, and from and after filing the same such town, borough, township or part thereof shall be and it is hereby declared to be a body politic and corporate, in fact and in law, by the name and title aforesaid, and by said name and title shall have perpetual succession, sue and be sued, prosecute and defend in all courts in this state, have a common seal and alter same at pleasure, and purchase, hold and convey real and personal property for the use and benefit of the city.

Certificate of
result of election
to be filed.

2. Section ten of said act be amended so as to read as follows:

10. The mayor, councilmen, city clerk, a receiver of taxes, assessor, constables, members of the board of education and commissioners of appeal shall be elected at an annual city election; the city treasurer, city attorney, recorder, health inspector, overseer of the poor, chief of police, city surveyors, commissioners of assessment and pound-keeper shall be appointed by the council in the manner and for the terms hereinafter provided; the chief of the fire department shall be elected in the manner and for the term hereinafter provided, by the active members of the fire department; *provided*, that in cities to which this act applies having more than ten thousand

Election and
appointment of
city officers.

Proviso

inhabitants, that the city clerk shall be appointed by the city council, and the treasurer, receiver of taxes, chief of police and chief of the fire department shall be nominated by the mayor and be appointed by him by and with the advice and consent of the city council by a majority vote of the whole number of councilmen.

3. This act shall take effect immediately.

Approved March 5, 1896.

CHAPTER 18.

An Act to alter and change the territorial area of the township of Randolph, in the county of Morris, by taking therefrom all that part of said township which is included within the corporate limits of the town of Dover.

Portion of town-
ship set off.

Boundaries.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that portion of the township of Randolph, in the county of Morris, included within the corporate limits of the town of Dover, and described in "An act to incorporate Dover," approved April first, one thousand eight hundred and sixty-nine, as amended by the thirty-third section of a further supplement to an act entitled "An act to incorporate Dover," approved March the thirty-first, one thousand eight hundred and seventy-one, as follows: "Beginning at a stone bridge in the road near the house of Mahlon Munson; thence in a straight line to the road to Walnut Grove, including the house of John Conrod; thence in a straight line to the junction of the Wallace and Jackson brooks, passing near the Lawrence farm-house; thence in a straight line to the road to Mine Hill, in front of the old Catholic church; thence in a straight line, passing by and including the house of Sylvester Dickerson, on the Dover and Sparta turnpike, to the division line between the townships of Randolph and Rockaway; thence along said division line, in an easterly direction, to a

point in said line near the scale-house of the Swedes mine; thence in a straight line, including said scale-house and the most northwesterly house upon the property of Thomas Oram, to the stone bridge in the road to Morristown, between the houses of Robert and Thomas Oram; thence in a straight line to the stone bridge, the place of beginning," be and the same is hereby set off from the township of Randolph, in the county of Morris, and that the territory so set off shall no longer be part of the township of Randolph.

2. All acts or 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 March 5, 1896.

CHAPTER 19.

An Act regulating the number of school trustees to be elected in the respective school districts in this state, being a supplement to an act entitled "An act to establish a system of public instruction," approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, Whenever it shall appear by the annual school census that there are between eight hundred and fifteen hundred children of legal school age in any school district now entitled by law to have but three trustees, then it shall be lawful for the legal voters of the said district at their next annual meeting for the election of school trustees to determine by a majority vote of those present whether the number of school trustees shall or shall not be increased to five.

Voters to determine increase of number of trustees.

2. In case it be decided to increase the number of school trustees in any such school districts to five, then the said legal voters shall proceed to elect, in the manner

Election of trustees and term of office.

in which school trustees are now elected, two additional trustees, one to hold office for two years and one for three years, and annually thereafter a trustee or trustees shall be elected for the term of three years, and to fill the places of those whose terms expire.

Duties of district clerk.

3. It shall be the duty of the district clerk in districts coming within the provision of the first section of this act, in his notice for the annual meeting of school trustees to insert a notice that there are within the district between eight hundred and fifteen hundred children of legal school age, and that it will be determined at said annual meeting whether the said board of school trustees shall consist of three or five; *provided, further*, that no vote shall be taken on this subject unless public notice shall have been given as herein provided for.

Proviso.

Repealer.

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

5. This act shall take effect immediately.

Approved March 5, 1896.

CHAPTER 20.

An Act to enable cities to open streets, highways and alleys, and to regulate and accept the same.

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

Cities to lay out, accept, open and vacate streets, &c., by ordinance.

1. It shall be lawful for the common council or other governing body of any city of this state, whenever in their opinion the public good may require it, by ordinance, to lay out, accept and open any street, road, highway or alley within said city; to order and cause any street, road, highway or alley already laid out, or which shall hereafter be laid out, to be vacated, straightened, altered or widened, and to take and appropriate for such purposes any lands and real estate, upon making compensation to the owner or owners thereof, in the manner now or hereafter provided by

law, in any such city, and they may at their discretion, by ordinance, accept such lands as may be dedicated by the owners thereof as public streets or alleys, and thereupon shall be bound to keep up, repair and maintain the same, to the same extent that they may be bound to keep up, repair and maintain streets or alleys laid out by other legal proceedings.

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

Approved March 5, 1896.

CHAPTER 21.

An Act concerning cities of the second class in this state and providing for the purchase of lands and the construction and repair of buildings for high school purposes in such cities.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever the board of education or other body having charge of the public schools in any city of the second class in this state shall, by resolution, determine that the property or buildings devoted to high school purposes in such city are improperly located, or said buildings are unsanitary, inadequate or otherwise unsuitable for high school purposes in said city, by certificate signed by the president, secretary or clerk of said board body, it shall be lawful for the common council or other governing body of such city or board having charge of the finances of such city, by resolution, to appropriate such sum of money, not exceeding one hundred and eighty thousand dollars, as they, in their discretion, shall determine, for the purchase of lands and the erection of buildings or for the repair and improvement of buildings used or to be used for high school purposes. Cities may make appropriation for erection of buildings for high school purposes.

Amount.

May borrow
money and issue
bonds.

2. Such city, by or through its common council or other governing body, or board having charge of the finances of such city, may, from time to time, or at once, as may be deemed most advantageous for the credit of such city, borrow the money so appropriated by the common council or other governing body of such city, pursuant to the provisions of this act, and may issue bonds of such city to the amount so appropriated and may negotiate and sell the same at any sum not less than par; and the money so raised by the sale of such bonds shall, upon the books of the said city, be carried to the credit of the board of education or other governing body having charge of the public schools of such city, to be used by such board or body for the purposes provided for in this act and for no other purposes whatsoever; said bonds so to be issued shall be made payable in not less than twenty nor more than thirty years, shall bear interest at a rate not greater than four per centum per annum, payable semi-annually, and may be registered or coupon bonds or may be registered and coupon bonds combined, at the option of the city; 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 three per centum per annum for the purposes of a sinking fund, to be paid to the commissioners of the sinking fund of said cities for the purpose of meeting the said bonds as they may become due.

Interest, how
raised.

Board of educa-
tion to purchase
lands, erect
buildings, &c.

Proviso.

3. When, pursuant to the provisions of this act, the common council or other governing body of any such city or board having charge of the finance of such city, shall have appropriated for the purpose of this act any sum or sums of money, it shall be the duty of the board of education or other body having control of the schools of such city to at once proceed to purchase lands and erect buildings suitable and adequate for high school purposes in said city, or to reconstruct, repair, improve such buildings; *provided, however,* that no land shall be purchased for the purpose of erecting thereon a high school, except with the concurrence and approval of the common council or other governing body of such city or board having charge of the finances of such city, which concurrence shall be expressed by resolution of the said common council or other governing body or

board having charge of the finances of such city, and the title to all lands so purchased shall be in the corporate name of such city.

4. All the moneys raised by the sale of bonds, or otherwise, pursuant to the terms of this act, and carried to the account of the board of education or other body having charge of the public schools in any city of the second class in this state, shall be carried in an account to be designated "High School Construction Account," and all warrants drawn by the board of education or other body having control of the public schools in any such city upon this account shall have stamped or printed thereon conspicuously the words "High School Construction Account," and such warrants in other respects shall conform to the warrants now required by law for the drawing of moneys from the city treasury or the construction of other school buildings in such cities.

Moneys raised by sale of bonds; how carried.

Warrants; how stamped or printed.

5. This act shall take effect immediately, but its provisions shall remain inoperative in any such city until assented to by a majority of the legal voters thereof voting at an annual charter election to be held in such city, of which the city clerk of such city shall cause public notice of the time and place of holding the same to be given, by advertisements signed by himself and set up in at least twenty public places in such city, and published in two or more daily newspapers printed therein, for at least six days previous to the day of such election; and that such assent or assents shall be expressed upon the regular ballots to be used at such election by the words printed or written, or partly printed and partly written, "For the adoption for this city of the provisions of an act entitled 'An act concerning cities of the second class in this state, and providing for the purchase of lands and the construction and repair of buildings for high school purposes in such city,'" or "Against the adoption for this city of the provisions of an act entitled 'An act concerning cities of the second class in this state, and providing for the purchase of lands and the construction and repair of buildings for high school purposes in such city,'" and the election officers shall return to the common council, or other legislative body of such city, a true and correct

Act inoperative until adopted by legal voters at charter elections.

statement in writing, under their hand, of the result of said submission, the same to be entered at large upon the minutes of said body; and upon such adoption, and not otherwise, this act shall in all respects be and become operative in such city.

Approved March 5, 1896.

CHAPTER 22.

An Act relating to the establishment and enlargement of cemeteries and use of lands for cemetery purposes in cities of the first class.

1. BE IT ENACTED *By the Senate and General Assembly of the State of New Jersey*, No new cemetery shall hereafter be established, nor shall any cemetery now existing be enlarged or any lands not now used for cemetery purposes be used for such purposes in cities of the first class in this state, without the consent of the common council and board of health of such city, to be expressed by resolution and the approval thereof by the mayor of such city.

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

Approved March 5, 1896.

Cemeteries not to be established or enlarged without consent of common council, etc.

Repealer.

CHAPTER 23.

An Act to cede jurisdiction to the United States of America over certain lands in the county of Bergen and state of New Jersey, to be occupied as a military and national park, upon the Palisades of the Hudson, and for the purposes herein specified.

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

1. The consent of the state of New Jersey is hereby given to the acquisition by the United States of America of the following described tract or parcel of land upon payment of the taxes due thereon at the time of such acquisition, namely, all that tract or parcel of land in the townships of Ridgefield, Englewood, Palisades and Harrington, county of Bergen, bounded and described as follows: Beginning in the township of Ridgefield, in the county of Bergen, in the state of New Jersey, at high-water line on the west shore of the Hudson river, at a point where the south line of the lands of Dupont and Company intersects such high-water line, and running thence westerly along said south line of Dupont and Company's lands to lands of one Annett; thence in a southwesterly direction along the boundary line of said Annett's line to the Fort Lee and Hackensack road; thence northerly along the westerly line of said road to its junction with Hudson Terrace; thence northerly along the west line of Hudson Terrace into the township of Englewood to Palisade avenue; thence westerly along the south side of Palisade avenue to the point of its junction with the westerly line of Sylvan avenue extended; thence northerly along the westerly line of Sylvan avenue and the boulevard, in the townships of Palisade and Harrington, and to the boundary line between the states of New York and New Jersey; thence easterly along said boundary line between the states of New York and New

Jurisdiction
ceded.

Boundaries.

Jersey to high-water line of the Hudson river; thence southerly along said high-water line to the point or place of beginning; and also all lands, docks, piers, bulkheads and buildings, water and lands under water, rights of navigation and dockage and riparian rights, and all rights, titles and forfeitures of, in or to the same, pertaining to said tract or in front of or between the same and the center of the Hudson river; and all the right, title and interest of the state of New Jersey in or to the same or any part thereof is hereby ceded, set over and transferred to the United States; and it is provided that the United States may hold and use said tract or any part thereof for the purpose of preserving, securing and employing the same for military, naval and other purposes as may be required, the same to be applied from time to time to such of said purposes as may be designated; and the United States may erect fortifications, and other public buildings and lay out and maintain roads, drill grounds and other open spaces thereon, and build docks, piers, bulkheads and wharfs and do any and all things necessary or convenient for the purposes aforesaid; and the United States shall have, hold and occupy said lands thus acquired and shall exercise exclusive jurisdiction over the same and every part thereof, subject to the restrictions hereinafter mentioned.

When jurisdiction ceded shall vest and begin.

Conditions

Further conditions.

2. The jurisdiction hereby ceded shall vest when plots and descriptions of the said lands thus acquired shall have been filed in the office of the secretary of state of New Jersey; such jurisdiction shall begin when and continue no longer than the United States shall hold the fee of such lands and such consent is given and jurisdiction ceded on the express condition that the state of New Jersey shall retain concurrent jurisdiction with the United States for acts done and offences committed in and on said lands, and that all civil and criminal process duly issued under the laws of said state for acts done and offences committed within said state may be freely and fully executed on lands within said tract except so far as such process may affect the real or personal property of the United States; and upon the further express condition that the cliffs, rocks and

plateau known as the Palisades of the Hudson, and the rocks, trees and shrubs upon them and at their base be preserved, saved and reserved from mutilation, change and destruction. save in so far as the actual occupancy thereof by the United States may require; that the militia of the state of New Jersey shall be allowed to use, occupy and manœuvre upon the same, and that the citizens of the state of New Jersey shall have the right to pass over and go upon said lands and to use the same as a public place; all these uses being, however, subject to such rules and regulations as may be prescribed by the United States or by any duly constituted authority thereunder; so far as such entry and use shall not interfere with the use and enjoyment thereof by the United States for the purposes for which the same may be acquired or designated, or used by or under its authority, and that such use of all portions not specifically reserved shall continue until all parts shall be actually so occupied.

3. As long as the fee of the lands thus acquired shall remain the property of the United States, and no longer, said lands and all rights and interests therein shall be and continue exonerated from all taxes, assessments or other tax which may be levied or imposed under the authority of this state, and the United States shall have power and authority to allow the occupancy of such lands to continue in the present owners, their heirs or assigns, under such agreements as shall be sanctioned by the properly constituted authorities thereof without excepting lands so occupied from this provision.

4. This act shall take effect immediately.

Approved March 5, 1896.

Lands exonerated from taxes, assessments, etc.

CHAPTER 24.

An Act respecting the fees of the clerk of the supreme court and of the clerk in chancery and providing salaries for such clerks.

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

Fees, costs, etc.,
to be collected
for use of the
state.

1. The fees, costs, allowances, percentages and all other perquisites of whatever kind which by law the clerk of the supreme court or the clerk in chancery may receive for any official acts or services rendered by said clerks, respectively, or by any assistant or other person in their office or employment for any acts done or services rendered in connection with said offices, shall continue to be payable and shall be received and collected by said clerks, respectively, for the sole use of the State of New Jersey, as public moneys belonging to the state, and shall be accounted for by said clerks and paid over as such in manner hereinafter provided.

Clerks to keep
account and
make statement
and return to
comptroller.

2. The said clerks shall respectively keep an account of all fees and moneys received by them, pursuant to the provisions of this act, for the use of the state, and shall, on or before the tenth day of each month, make a full and itemized statement and return, verified by oath, to the comptroller, of the fees, costs, allowances, percentages and all other perquisites of whatever kind received by them or by any assistant or other person in their office or employment for any acts done or services rendered in connection with said offices and of all sums which may have been charged or taxed, or which shall have accrued or become payable for any such services during the month preceding the making of such statement, which statement shall be made under oath and upon blanks containing a form of the said statement and oath, to be furnished to said clerks by the comptroller, and shall be filed in the office of the comptroller, there to remain as public records; such statements shall

be forthwith audited by said comptroller, and on or before the fifteenth day of each month said clerks shall respectively pay over the amount of such fees and moneys to the state treasurer, under a penalty of one hundred dollars for each day's neglect to file such certificate or to pay over such moneys, to be recovered in the name of the state of New Jersey for the use of the state, in an action in the supreme court.

Statement to be audited and amount of fees paid to state treasurer.
Penalty.

3. The said clerks shall respectively be personally liable to the state for the payment of all such fees and costs as are mentioned in the first section of this act; and for their own protection it shall be lawful for them to exact the payment of such fees and costs before filing any paper, entering and docketing any writ, order or decree, making any copy or any search or performing any other service in their said offices for which costs, fees or compensation is allowed; and for convenience it shall be lawful for the clerk to receive from suitors and their attorneys and solicitors reasonable deposits of money in advance to answer such fees and costs, rendering an account thereof to the persons making such deposits at the end of each term of court.

Liability of clerks for payment of fees, etc.

4. The said clerks shall each receive a salary of six thousand dollars per annum, to be paid by the treasurer on the warrant of the comptroller in equal monthly payments in full compensation for all services rendered by said clerks, and in lieu of all fees and other compensation whatever heretofore provided or allowed by law; said clerks shall select and employ the necessary assistants for said offices respectively, who shall receive such compensation as shall be approved by the governor, and which shall be paid monthly by the treasurer on warrants drawn by the comptroller.

Salaries of clerks.

Clerks to employ assistants, and their compensation to be approved by the governor.

5. All acts and parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect so far as respects the office of the clerk of the supreme court at the expiration of the term of office of the present clerk of the supreme court, and so far as respects the office of the clerk in chancery at the expiration of the term of office of the present clerk in chancery.

Act when to take effect.

Approved March 5, 1896.

CHAPTER 25.

An Act to repeal an act entitled "An act relating to vacancies in the office of school commissioners or in boards of education in the cities of the first class in this state," passed June thirteenth, one thousand eight hundred and ninety-five, and relating to the terms of office of school commissioners or members of boards of education in cities of the first class in this state appointed under the said act.

Act repealed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That an act entitled an "Act relating to vacancies in the office of school commissioners or in boards of education in cities of the first class in this state," passed June thirteenth, one thousand eight hundred and ninety-five, be and the same hereby is repealed.

Commissioners appointed to fill vacancies to continue in office.

2. Any and all school commissioners or members of the board of education in any city of the first class in this state heretofore appointed to fill any vacancy or vacancies under the provisions of the act aforesaid shall continue in office and perform the duties thereof for the remainder of the period or time for which he or they shall have been appointed as aforesaid.

3. This act shall take effect immediately.

Approved March 9, 1896.

CHAPTER 26.

An Act respecting the granting of licenses to sell spirituous, vinous, or malt or brewed liquors in certain places in this state.

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

1. Hereafter no license shall be granted to keep an inn or tavern, or to sell spirituous, vinous, or malt and brewed liquors within the limits of any lands owned or controlled by any camp-meeting association incorporated by or under the laws of this state, used for religious worship, or for any objects or purpose for which such associations are formed, nor within one mile in any direction from the outside limits or boundaries of such lands, except that it may be lawful to renew, from time to time, any such license now existing, to make sale thereof at any inn or tavern now located at, and lawfully doing business as such within the limits aforesaid.

No license to be granted within one mile of lands, &c., of camp-meeting associations.

2. This act shall take effect immediately.

Approved March 9, 1896.

CHAPTER 27.

An Act to amend an act entitled "An act to secure to operatives in manufactories, and other employes, their wages," approved March thirteenth, one thousand eight hundred and fifty-six.

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

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

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

Goods, &c., of manufacturer or corporation not liable to be removed by virtue of execution until wages of operatives are first paid.

1. No goods, chattels or personal property whatsoever, being in this state, and belonging to any manufacturer or other person or persons, or to any corporation, shall be liable to be removed by virtue of any execution, attachment or other process, unless the party by whom or at whose suit the said execution, attachment or other process was issued or sued out, shall first pay or cause to be paid to the operatives, mechanics and other employes employed by such manufacturer, person or persons or corporation, the wages then owing from such manufacturer, person, persons or corporation, to the operatives, mechanics and other employes employed by them; *provided*, the same shall not exceed two months' wages, and in case the sum owing as aforesaid shall exceed two months' wages, then the said party at whose suit such process is sued out, upon paying the said operatives, mechanics and other employes two months' wages, may proceed to execute his process as he might have done before the passage of this act; and the sheriff or other officer is hereby empowered and required to levy and pay to the plaintiff, as well the money so paid for wages as the money to be made by virtue of such process.

2. Section two of said act be amended so as to read as follows:

If goods, &c., removed without paying operatives, not to be sold for ten days and not until wages are paid.

2. If the sheriff or other officer shall, by virtue of any execution, attachment or other process, remove from the possession or premises of any person, persons or corporation against whom such process may be issued, any goods, chattels or personal property, without first paying to the operatives, mechanics and other employes of such person or persons or corporation, their wages to the amount in the preceding section specified, such goods or chattels or personal property shall not be sold by such sheriff or other officer so taking or removing the same, until ten days after such removal, and then not until the plaintiff or party at whose suit such goods or chattels are taken as aforesaid shall, before the sale thereof, pay to the operatives, mechanics and other employes of such person or persons or corporation against

whom such process is issued, the wages due them at the time of such removal; *provided*, the same shall not in any case exceed two months' wages, and if more than two months' wages is owing to such operatives, mechanics or other employes, then the party by whom or at whose suit such execution or other process is issued, by paying two months' wages, may proceed to execute his process, and sell such goods or personal property; *provided*, the persons to whom such wages may be owing shall, before the expiration of said ten days after such removal, give notice to the sheriff or other officer holding such process of the amount of wages due and claim the same, which notice may be served by delivering the same to said officer or leaving a copy thereof at his usual place of abode.

Proviso.

Proviso.

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 9, 1896.

CHAPTER 28.

AN ACT respecting the term of office of the collector of taxes, town assessor and town clerk in towns.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, The term of office of the collector of taxes, town assessor and town clerk hereafter elected in the towns of this state shall be for the period of three years from the time when said term shall commence, as now provided by law.

Terms of office.

2. This act shall take effect immediately, and that all acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 9, 1896.

CHAPTER 29.

An Act concerning the collection, removal and disposal of ashes and garbage in cities of this state and providing for the payment of the cost thereof.

May make contracts for collection and removal of ashes.

Expenses to be raised by taxation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, It shall and may be lawful for the common council, board of aldermen, or other governing body having charge of the streets of any city of this state, to enter into and make a contract or contracts, not exceeding the term of five years at a time, with any corporation or individual for the collection and removal of ashes and the collection, removal and disposal of garbage, and it shall be the duty of such common council, board of aldermen, or other governing body of such city, during the continuance of such contract or contracts, to annually raise by taxation the sum needed to defray the expenses of such collection and removal of ashes and such collection, removal and disposal of garbage for the fiscal year then next ensuing.

2. This act shall take effect immediately.

Approved March 9, 1896.

CHAPTER 30.

An Act to amend an act entitled "An act to organize the board of chosen freeholders in each of the counties of this state having within its territorial limits a population of not less than seventy-five thousand inhabitants or more than two hundred thousand inhabitants," passed May ninth, one thousand eight hundred and ninety-four.

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

1. Section one of an act entitled "An act to organize the board of chosen freeholders in each of the counties of this state having within its territorial limits a population of not less than seventy-five thousand inhabitants or more than two hundred thousand inhabitants," passed May ninth, eighteen hundred and ninety-four, be and the same is hereby amended so as to read as follows :

Section to be amended.

1. Hereafter the board of chosen freeholders in each county of this state having within its territorial limits a population of not less than seventy-five thousand inhabitants or more than two hundred thousand inhabitants, as ascertained by the last preceding federal census taken by the authority of the United States, shall consist of one chosen freeholder from each ward of each city, one chosen freeholder from each township, and one chosen freeholder from each borough possessing complete autonomy of local government in such county; "provided, such borough has a population exceeding twelve hundred."

Wards, townships and boroughs entitled to one freeholder.

Proviso.

2. This act shall take effect immediately.
Approved March 9, 1896.

CHAPTER 31.

An Act concerning the number of commissioners of deeds in and for the cities of the first class in this state.

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

Number of commissioners for each ward.

1. It shall be lawful to appoint fifteen commissioners of deeds for each of the wards in the several cities of the first class in this state.

2. 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 11, 1896.

CHAPTER 32.

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

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

Who to constitute board of trustees of the teachers' retirement fund.

1. The state superintendent of public schools, the members of the state board of education, and two representatives, to be selected annually by the public school teachers at the regular meeting of the state teachers' association, shall constitute a board of trustees that shall be known as "the board of trustees of the teachers' retirement fund."

Organization of board.

2. They shall organize as such board by choosing one of their number as chairman and one as secretary; the

state treasurer shall be ex-officio treasurer of such fund; such board of trustees shall have charge of and administer said fund as they shall deem most beneficial to such fund and to the beneficiaries thereof, and order payments therefrom according to the provisions of this act; they shall report annually to the legislature the condition of such fund, and the receipts and disbursements on account of the same, with a full and complete list of the beneficiaries of said fund and the amounts paid to each of them.

Board of trustees to have charge of fund, etc.

3. Whenever any teacher entitled to the benefits of this act has taught in the public schools of this state for a period of twenty (20) years, and shall become incapacitated from performing the duties of a teacher, such teacher shall, at his or her request, or may, at the discretion of the board of trustees of the teachers' retirement fund, without such request, be retired as a teacher, and shall thereafter receive an annuity out of said fund of a sum equal to one-half of the average annual salary received for the five (5) years immediately preceding the time of retirement; *provided*, that no annuity granted under this act shall be less than two hundred and fifty (250) dollars or more than six hundred (600) dollars, but in case any teacher should be retired within five (5) years after the passage of this act, he or she must, in order to receive the benefits thereof, pay into the fund provided for in this act a sum equal to twenty per centum of his or her annual salary at time of retirement; *and provided further*, that if at any time there shall not be sufficient money in said fund to pay the warrants drawn thereon as presented for payment, the treasurer shall register said warrants, and mark on the back of each these words: "Presented for payment this (giving day, month and year), and not paid for want of funds. Treasurer of state of New Jersey;" and such warrants shall be paid in the order of registration and bear interest at five per centum per annum from date of registration.

When teachers may be retired and annuity granted

Proviso.

Proviso.

4. Any teacher that shall have been a contributing member for five (5) years or more, who shall resign, or be otherwise honorably retired, shall, upon application within three (3) months after date of such retirement,

Who entitled to receive one-half of amount paid into the fund.

be entitled to and shall receive one-half of the total amount paid by him or her into said funds.

Retirement fund,
what to consist.

5. The public school teachers' retirement fund herein provided shall consist of the following, with the income and interest thereof :

One per centum
of salaries of
teachers to be
reserved and
paid to the state
treasurer.

(1.) The board of education of each municipality and the board of trustees in every school district or township outside of such municipalities, on the expiration of one month after the time when this act shall take effect, shall reserve monthly and pay over to the state treasurer one per centum of the salaries or annuities paid each month to the teachers who shall, prior to such date, elect to come under the provisions of this act ;

Moneys received
by donation, etc.

(2.) All moneys and property received by donation, legacy, gift, bequest or otherwise, for or on account of said fund ;

All others.

(3.) All other methods of increment as may be duly and legally devised for the increase of said fund.

Powers of board.

6. In addition to the powers hereinbefore granted to said board, it shall have the further power, first, to subpoena and compel witnesses to attend and testify before it in all matters relating to the operations of this act, and any member of said board may administer an oath or affirmation to such witness, in the form prescribed in courts of justice ; second, to provide for the payment out of said fund of all needful expenses, but the members of said board, as such, shall serve without compensation.

Act binding
upon teachers
signing notice.

7. This act shall be binding only upon public school teachers who, after the passage of this act, shall sign and deliver to the board of education of the municipality, district or township in which they are employed, a notice in substantially the following form :

Form of notice
or agreement.

_____, 1895.
To the board of education (or trustees, as the case may be) of _____: You are hereby notified that I agree to be bound by, and desire to avail myself of, the provisions of the act of the legislature of New Jersey, approved _____, eighteen hundred and ninety _____, entitled "An act to amend an act entitled

‘An act to establish a system of public instruction in state of New Jersey.’ ”

Public School Teacher.

And no teacher employed in the public schools of this state at the time of the passage of this act, failing to give such notice within three months, shall be entitled to any benefits under this act or subject to any of its burdens; and no teacher employed after the passage of this act, who, within one year after such employment, fails to give such notice, shall share the benefits of or be subject to the burdens of this act; such notices shall be delivered to the local board of education, and, at the same time, a duplicate copy of the same shall be sent to the board of trustees of teachers' retirement fund, and preserved as a record for their information.

Notice to be given three months after passage of act to entitle to benefits.

Notices; to whom delivered.

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

Repealer.

Passed March 11, 1896.

CHAPTER 33.

An Act relative to the purchase of lands for school purposes and the erection of school buildings thereon in townships of this state containing more than fifteen thousand inhabitants.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in townships of this state now or hereafter having a population exceeding fifteen thousand inhabitants, as shown by any census taken under the authority of any act of congress, or of any law of this state, the board of education of such township shall have authority to purchase all necessary land for school purposes and erect all necessary school buildings thereon, and to authorize the issuance of bonds pledging the property of the whole township for the

Boards of Education authorized to purchase land, erect school buildings and issue bonds.

Proviso. payment thereof and to provide for the payment of the principal and interest of said bonds, and possess all power with relation to the purchase of lands and the erection of school buildings now vested in any properly called annual or special school meeting, as now provided by law; *provided, however*, that no lands shall be so purchased, or school house or houses contracted to be erected, or erected thereon, and no bond issue authorized until the consent of the township committee to such proposed purchase of land, or the erection of such school building or buildings thereon, and to the necessary bond issue therefor, shall have been first obtained by a resolution duly passed by such committee and certificate thereof made to the board of education by the township clerk under the seal of the township.

2. This act shall take effect immediately.

Approved March 11, 1896.

CHAPTER 34.

A Supplement to an act entitled "An act respecting the opening, widening, extending or otherwise improving of streets, avenues and public highways in cities of the first class in this state, and providing for the payment of the same; and further providing that the assessments upon property for special benefits shall be payable in full or in installments, at the option of the property owner," approved March twenty-second, one thousand eight hundred and ninety-five.

Proceedings
not invalidated
for failure
to comply with
provisions
relating to
improvements.

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

1. In any city of the first class of this state in which the board or body having control of the streets and highways in any such city have proceeded upon the ap-

plication of an owner or owners of property to cause to be opened, widened, extended or otherwise improved any streets, avenue or public highway in such city under the provisions of the act to which this is a supplement, and said board has awarded contracts for the doing of the work of any said improvement or improvements, and has caused to be prepared and filed preliminary maps and reports showing the probable benefits and probable amount to be assessed upon the property specially benefited thereby, and have previously thereto caused to be published in the official newspapers of such city a notice to parties interested in said proposed opening, widening, extension and establishing of grade of any street and any improvement, of the time and place for hearing objections thereto, and have described in said notice the location and character of the opening, widening, extension and establishing of grade of any street and the proposed improvement, real estate to be taken or damaged and the easements to be acquired and the property to be assessed therefor, and such hearing has been held sooner than two weeks from the date of first publication of said notice, although section four (4) of the act to which this is a supplement provides that "such hearing shall not be held sooner than two weeks from the date of first publication of said notice"; such failure to comply with the provisions of the act to which this is a supplement shall in no way invalidate the proceedings taken by said board or body respecting any said improvement or improvements; and that the assessments on property benefited by said improvement or improvements shall be in all respects valid and legal as though the said notice had been given in conformity with the provisions of the said act to which this is a supplement.

Assessments
valid and legal.

2. This act shall take effect immediately.

Approved March 11, 1896.

CHAPTER 35.

A Supplement to an act entitled "An act for the punishment of crimes," 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:*

Penalty for manufacturing, selling, &c., articles not of a certain standard.

1. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise marked, stamped or branded with the words "sterling" or "sterling silver," or incased or inclosed in any box, package, cover or wrapper, or other thing in or by which the said article is packed, inclosed or otherwise prepared for sale or disposition, having thereupon any engraving or printed label, stamp, imprint, mark or trade-mark indicating or denoting by such marking, stamping, branding, engraving or printing that such article is silver or sterling silver, unless nine hundred and twenty-five one thousandths of the component parts of the metal of which the said article is manufactured is pure silver, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or both.

Penalty for manufacturing, selling, &c., articles not of a certain standard.

2. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise marked, stamped or branded with the words "coin" or "coin silver," or incased or inclosed in any box, package, cover or wrapper, or other thing in or by which the said article is packed, inclosed or otherwise prepared for sale or disposition, having thereupon any engraving or printed label, stamp, imprint, mark or trade mark, indicating or denoting by such marking, stamping, branding, engraving or printing that such article is coin or coin silver, unless nine hundred one-

thousandths of the component parts of the metal of which the said article is manufactured is pure silver, is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or both.

3. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise whose component parts are made of the same metal soldered together, which article is marked, stamped or branded with the words "sterling" or "sterling silver," unless all of said component parts shall contain not less than nine hundred and twenty-five one-thousandths parts of pure silver, is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Penalty for manufacturing, selling, &c., articles not of a certain standard.

4. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise, whose component parts are made of the same metal soldered together, which article is marked, stamped or branded with the words "coin" or "coin silver," unless all of said component parts shall contain not less than nine hundred one-thousandths parts of pure silver, is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Penalty for manufacturing, selling, &c., articles not of a certain standard.

5. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise comprised of leather, shell, ivory, pearl, glass, porcelain, pottery, steel or wood, to which is applied or attached a metal mounting, marked, stamped or branded with the words "sterling" or "sterling silver," unless said applied or attached metal mounting shall contain not less than nine hundred and twenty-five one-thousandths parts of pure silver, is guilty of a misdemeanor and on conviction thereof shall be punished by a fine

Penalty for manufacturing, selling, &c., articles not of a certain standard.

not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Penalty for manufacturing, selling, &c., articles not of a certain standard.

6. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise comprised of leather, shell, ivory, pearl, glass, porcelain, pottery, steel or wood, to which is applied or attached a metal mounting marked, stamped or branded with the words "coin" or "coin silver," unless said applied or attached metal mounting shall contain not less than nine hundred one-thousandths parts of pure silver, is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Penalty for manufacturing, selling, &c., articles not of a certain standard.

7. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise comprised of interior works or movements and an exterior case or covering applied or attached thereto, marked, stamped or branded with the words "sterling" or "sterling silver," unless said case or covering shall contain not less than nine hundred and twenty-five one-thousandths parts of pure silver, is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Penalty for manufacturing, selling, &c., articles not of a certain standard.

8. Any manufacturer or dealer who makes or sells, or offers to sell or dispose of, or has in his or her possession with intent to sell or dispose of, any article of merchandise comprised of interior works or movements and an exterior case or covering applied or attached thereto, marked, stamped or branded with the words "coin" or "coin silver," unless said case or covering shall contain not less than nine hundred one-thousandths parts of pure silver, is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Approved March 11, 1896.

CHAPTER 36.

An Act to amend an act entitled "An act to amend an act entitled 'An act respecting licenses in the boroughs of this state,' approved May first, one thousand eight hundred and ninety-four," which act was approved March twenty-second, one thousand eight hundred and ninety-five.

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

1. The first section of an act entitled "An act to amend an act entitled 'An act respecting licenses in the boroughs of this state,' approved May first, one thousand eight hundred and ninety-four," which act was approved March twenty-second, one thousand eight hundred and ninety-five, be and the same is hereby amended so as to read as follows :

Section to be amended.

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

1. It shall be lawful for the mayor and common council or other governing body in any borough of this state to make and establish ordinances for the following purposes, namely: to license and regulate the owners and drivers of express wagons, trucks, hacks, carts, omnibuses, stages and all other carriages and vehicles used for the transportation of passengers, baggage, merchandise and goods and chattels of every kind; also to license and regulate the owners and drivers of all vehicles used in connection with any business or occupation for the purpose of soliciting orders or delivering goods within the limits of the municipality; also to license and regulate all common criers, hawkers, peddlers, pawn-brokers, junk wagons, news stands, sweeps, scavengers, traveling and other street shows, street exhibitions, parades, circuses, concerts, theatres, skating-rinks, merry-go-rounds, observation wheels, roundabouts, razzle-dazzles or circular swings, organ-grinders, itiner-

Governing bodies of boroughs may make and establish ordinances for certain purposes

And fix penalties
for violation
thereof.

Proviso.

ant venders of medicines and remedies and merchandise, and to fix the license fees to be paid therefor, which may be imposed for the purpose of revenue; and also to designate and locate stands and places which hackmen, cartmen and all other persons engaged in carrying passengers, baggage and merchandise shall be privileged to occupy when soliciting business, and to prevent the occupying of other places for such purpose, and to fix and prescribe penalties for the violation of any such ordinance or section thereof in a sum not less than ten dollars or more than one hundred dollars as may be designated by such governing body; *provided*, that no person or persons shall be required to take out a license in order to sell any product off his farm.

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

Passed March 12, 1896.

CHAPTER 37.

A Supplement to an act entitled "An act concerning the condemnation of lands," approved May sixteenth, one thousand eight hundred and ninety-four.

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

Proceedings in
cases of appeal
sufficient and
binding on
owners, etc.

1. Whenever any appeal has heretofore been taken or shall hereafter be taken from the award of commissioners in any case provided for in the said act to which this is a supplement, the proceedings necessary in carrying on said appeal and for the trial and final disposition thereof, and in error or review, shall be sufficient and binding on all such owners, known or unknown, named or designated in the application for the appointment of commissioners, if carried on only by or against the persons in possession of said lands claiming

to own the same and against such others, if any, of the persons named or designated in said application as shall have appeared personally or by attorney before said commissioners; and all notices proper to be served upon the landowners in the perfecting, prosecution or final determination of said appeal or subsequent proceedings as aforesaid shall be sufficient if served upon the said persons in possession claiming to own said lands and upon such others, if any, of the said parties as shall have appeared before the commissioners as aforesaid or upon their attorneys respectively; *provided*, that any of such parties who shall not have appeared before said commissioners shall be entitled at any time, upon application to the court in which such proceedings may be pending, to be admitted to participate therein.

Proviso.

2. Any such appeal heretofore taken within the term in which the award or report of commissioners was made shall be valid and effectual to vest in the circuit court to which the same has been taken full and complete jurisdiction to try and determine such appeal, and may be proceeded with in the manner provided in the last above section of this act and with full force and effect as therein mentioned, notwithstanding that any such appeal may not have been taken within five days after the date fixed for the making or filing of the report or award of said commissioners, and notwithstanding that no date may have been fixed in the order appointing said commissioners for the making of their award; and the notice required by law of the taking of such appeal and of the application to frame the issue and to fix a day for the striking of the jury and to fix a day for the trial, may be served at any time within the term following the term in which said award was made and said appeal as aforesaid.

Appeals heretofore taken valid, and circuit courts vested to try and determine same

Notices; how served.

3. This act shall take effect immediately.

Passed March 16, 1896.

CHAPTER 38.

An Act to change the boundary line between the townships of West Amwell and Delaware, in the county of Hunterdon.

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

Boundary line.

1. The boundary line between the townships of West Amwell and Delaware, in the county of Hunterdon, be and the same is hereby changed from its present location to run as follows, viz.: Beginning in the middle of the Alexsauken creek and the middle line of the Flemington railroad and transportation company at the first crossing of said creek by said railroad above Lambertville, and running thence along the middle line of said railroad company, in an easterly direction, to where the said railroad crosses a public road known as Boss' road, thence along the middle of said public road southerly and easterly to the intersection of said road with the public road leading from Lambertville to Ringoes, in said county, known as the Old York road, and there ending, so far as said change is concerned; and all lands lying southerly of the middle of said railroad, and southerly and westerly of said Boss' road, and formerly in the township of Delaware, be and they are hereby declared to belong to and to be part and parcel of the township of West Amwell, in said county.

2. This act shall take effect immediately.

Passed March 16, 1896.

CHAPTER 39.

An Act to authorize cities of this state, located on or near the Atlantic ocean, to lay out, construct, repair or enlarge and maintain boardwalks, or other sidewalk and streets and public places along the sea front embraced within their limits or jurisdiction, and to erect and maintain pavilions along the ocean front, to acquire property therefor for the accommodation and enjoyment of the public, and to provide means for the payment thereof, and directing the disposition of moneys so provided.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, It shall be lawful for cities of this state, located on or near the Atlantic ocean, and embracing within their limits or jurisdiction any beach or ocean front, to lay out, maintain, repair, enlarge and construct, a public walk or walks of boards, or other material, to lay out and open streets, drives and parks, and otherwise improve the same along or near the beach or ocean front, and to erect upon property owned or to be acquired a pavilion or pavilions overlooking the sea for the use and enjoyment of the public, and to acquire by deed, lease, license, or otherwise, property requisite therefor.

Cities authorized to lay out, maintain, etc., public walks, etc

2. Such cities shall have power and authority to raise money, to be applied as hereinafter provided, by borrowing or otherwise increasing their indebtedness, to a sum not exceeding fifty thousand dollars beyond the limit of indebtedness fixed in their charters or supplements, and to issue negotiable bonds therefor, which shall run for any period not exceeding twenty years, and shall bear interest not exceeding five per centum per annum, payable semi-annually, which may be sold and disposed of by said city, at not less than par, and may be used at once, and if any surplus exist from the proceeds thereof after the

Authorized to borrow money and issue bonds.

Limit.

Proviso.

When act to go
into effect.

payment for the improvements herein authorized to be made, the same may be appropriated by said cities to purposes or uses authorized by their respective charters or supplements; *provided, however*, that so much of this act as authorizes the creation of further indebtedness shall not go into effect in any such city unless the mayor or governing body thereof shall have hitherto submitted or shall submit by proclamation or resolution respectively, the question of the increase of such authorized indebtedness, either in the form of the formal adoption of this act or of any other act of the legislature of this state, authorizing any cities to increase their indebtedness to that amount, to the votes of the legal voters of such city at any general charter or special election, held or to be held therein, whereof at least two weeks' notice shall have been or shall be given, by public advertisement in two newspapers circulating in such city, and at such election a majority of those who voted or who shall vote shall have been or shall be in favor of such adoption; persons entitled to vote at any charter or municipal election where this question is submitted to them shall express or shall have expressed their assent to or rejection of such proposition, by depositing their ballots in the box provided for depositing ballots at such election in such city, and those who were or are in favor of the acceptance of such proposition shall each have deposited or shall each deposit a ballot containing the words "new bond act accepted," written or printed thereon, and those who were or are opposed shall each have deposited or shall each deposit a ballot containing the words "new bond act rejected," written or printed thereon; and this rejection or acceptance may be or may have been expressed upon the ballots on which were or are the names of the state, city or county officers, or any of them, and no separate ballot shall be or shall have been required for the purpose of this vote, and if the majority of the ballots on which there shall be or shall have been the words "new bond act accepted," or "new bond act rejected," shall have been or shall be found to be in favor of the adoption of such proposition, such municipality shall then be authorized to avail itself of the provisions of this act providing for further indebtedness, and not otherwise,

anything in its charter or supplements to the contrary notwithstanding.

3. Nothing herein contained shall authorize or enable such cities to lease, rent or hire said pavilion or pavilions to any person or persons.

4. All acts and parts of acts, whether general or special, inconsistent herewith be and the same are hereby repealed; providing that nothing in this act shall be taken to repeal 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, nor any of the various supplements thereto, and this act shall take effect immediately.

Passed March 16, 1896.

CHAPTER 40.

An Act to amend an act entitled "A supplement to an act entitled 'An act to authorize the establishment of free public libraries in this state,' approved April first, one thousand eight hundred and eighty-four," approved March twenty-first, one thousand eight hundred and ninety-five.

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 amended to read as follows:

1. When in the judgment of the board of trustees of the free public library in any city of this state that has accepted or shall hereafter accept the provisions of the

Boards of trustees to certify amount of money necessary to purchase lands, etc.

act to which this is a supplement, it is advisable to purchase lands or to erect buildings thereon, or both, for the purpose of a free public library, said board of trustees of said public library may certify to the common council or other board or body having charge and control of the finances of such city, the amount of money, in addition to such moneys as they may have on hand applicable to such purposes, necessary for the purpose of making such purchase of land, the erection of buildings or other improvements thereof, and shall also certify therewith the total amount of moneys and funds belonging to the trustees of such free public library, and an estimated account of the amount necessary for the maintenance of the said library, for the balance of the then current year, and thereupon such common council or other body or board may, by resolution, at its discretion, and with the approval of the mayor of such city, authorize and empower the board of trustees of said free public library to expend such sum of money, in addition to the moneys belonging to it, and not needed for the expenses of maintenance for the remainder of the then fiscal year, as to such common council or other body or board may seem proper for such purposes, not to exceed, however, the amount certified as aforesaid by the board of trustees of the free public library, and upon the passage of such resolution, the board of trustees of said free public library shall be empowered and authorized, by and with the consent of the mayor of such city, to purchase real estate and to erect buildings and make improvements thereon, and to expend moneys therefor to the amount of such appropriation and surplus; *provided, however*, that no lands shall be purchased for the purpose of erecting thereon a free public library building, except with the concurrence of such common council or other body or board, which concurrence shall be expressed by resolution of such common council or other body or board by and with the approval of the mayor of such city; the title of real estate so purchased shall be taken in the name of such city, but the use and control of the same shall be in such board of trustees of the free public library so long as it shall be used for free public library purposes.

Also amount of funds.

Common council may by resolution authorize trustees to expend money.

Proviso.

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

2. To defray the expense of such purchase and construction, or either, such common council or other body or board is hereby authorized to issue the bonds of such city, not to exceed in the aggregate the sum of three hundred thousand dollars in cities of the first class, and not to exceed one hundred thousand dollars in cities of the second class, and not to exceed twenty-five thousand dollars in cities of the third and fourth classes, which bonds shall be of such denomination as such common council or other body or board shall direct; they shall be made payable within a period not more than thirty years nor less than ten years from the date of their issue; they shall bear such rate of interest not exceeding four per centum per annum, and be made payable as such common council or other body or board may determine; said bonds shall be negotiated and sold at not less than their par value; they shall be denominated "free public library bonds," and shall be signed as other municipal bonds of such city are signed; *provided*, that such common council or other body or board shall not issue any bonds under this act until such common council or other body or board shall have approved of a site for the erection of such building.

Common council authorized to issue bonds.

Amount.

Proviso.

3. The third section of the act to which this act is amendatory be amended to read as follows:

3. For the redemption of the bonds issued pursuant to the provisions of this act and to provide for the payment of the interest on said bonds, there shall be deducted from the annual appropriation to which the board of trustees of such free public library is entitled for the support of free public libraries (which appropriation is fixed by the act to which this is a supplement), an amount equal to one-half of the sum required to pay the interest on the said bonds so issued and a further sum equal to one-half the sum required to meet the sinking-fund charges upon said bonds; and such sum so retained shall be paid to the commissioners of the sinking-fund by the proper financial officers of the city, and not to the trustees of the free public library; the remaining one-half of the interest upon said bonds, and the one-half of the sum necessary to meet the sinking-

Redemption of bonds and payment of interest; how provided.

fund charges shall be met and provided in such city, and shall be likewise paid to the commissioners of the sinking-funds; and it shall be lawful for the common council or other body or board having charge and control of the finances of such city to cause such sums to be raised, if necessary, by taxation, and included in the annual tax levy; the sinking-fund charge upon said bonds shall not be less than two per centum per annum upon the bonds issued.

Section repealed

4. The fourth section of the act to which this is amendatory be and the same is hereby repealed.

5. This act shall take effect immediately.

Approved March 16, 1896.

CHAPTER 41.

An Act to repeal an act entitled "A supplement to an act entitled 'An act to establish a system of public instruction'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which supplement was approved March twenty-second, one thousand eight hundred and ninety-five, and is chapter 253 of the laws of 1895.

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

Repealer.

1. The supplement mentioned in the title of this act is hereby repealed.

2. This act shall take effect immediately.

Approved March 16, 1896.

CHAPTER 42.

An Act concerning deeds heretofore made by sheriffs
and the estates taken and vested thereunder.

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

1. Any deed heretofore made, executed and delivered by any sheriff in pursuance of a sale made by him under and by virtue of a writ of fieri facias issued upon a decree of the court of chancery in this state for the foreclosure of a mortgage and a sale of the mortgage premises therein described shall, as to the defendants against whom said decree was made, and all persons claiming under them, be held to have vested in the grantee or grantees in said deed named and his or their heirs and assigns as full and ample an estate in the lands described therein as was embraced in the mortgage and as was by the decree of the said court ordered to be sold and conveyed, and as said sheriff was directed and commanded in and by such writ to sell and convey, notwithstanding the omission of the word heirs in the premises and habendum clause of the deed so made and executed by him; *provided*, the requirements of the law in advertising and selling said lands were in all respects complied with.

Estates vested in
grantees.

Proviso.

2. This act shall take effect immediately.
Approved March 16, 1896.

CHAPTER 43.

An Act to authorize any township of this state, now or hereafter having by any federal or state census fifteen thousand inhabitants, to purchase land and erect thereon a suitable building for township purposes.

Townships of certain population may purchase land and erect a public building.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any township in this state which now has or may hereafter have, as shall appear by any census taken under the authority of any act of congress or of any law of this state, a population of fifteen thousand or more inhabitants, may by its township committee purchase a proper piece of land and erect thereon a suitable public building for township purposes; *provided, however*, that the total cost of such land and building shall not exceed a sum which would equal one-half of one per centum of the total assessed valuation of real property in the year last preceding the purchase of such land and the erection of such building.

Proviso.

May issue bonds.

2. The township committee of such township shall have authority to issue bonds to procure the money to purchase such land and erect such building thereon, which bonds shall be of such denominations and to run for such time, not exceeding twenty years, as the township committee may determine, and shall carry a rate of interest at not exceeding five per centum, payable semi-annually, and said bonds may be made payable in annual installments, if the township committee so elect; said bonds shall be authorized by a resolution of the township committee, and shall be executed by the proper officers of the township under the township seal; and it shall be the duty of the township committee to annually certify to the assessors of the township the amount necessary to be raised for interest and any part of the principal of said bonds falling due, if any shall fall due; and if said bonds shall not be made payable in annual or other installments, there shall in that event

Interest.

Principal and interest how paid.

be annually raised by taxation three per centum of the principal of said bonds, for a sinking fund, to meet said bonds at their maturity, the amount of which sinking fund tax shall annually, on the first day of December in each year, be paid over to the sinking fund commissioners of the township, to be held and invested by them to meet said bonds at their maturity.

3. Said bonds when issued shall pledge and bind the whole property of the township for the payment of the interest and principal thereof, and this act shall take effect immediately.

Bonds issued to bind property of township.

Approved March 17, 1896.

CHAPTER 44.

A Supplement to an act entitled "An act relative to the establishment of sinking funds and the appointment of commissioners therefor in certain townships of this state," approved April thirtieth, one thousand eight hundred and ninety-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when commissioners of the sinking fund are provided for by ordinance, by any township of this state under the provisions of the act to which this is a supplement, that such commissioners shall be a body corporate by the name stated in the ordinance so creating them, with power to take, purchase and hold in such corporate name any funds or securities in carrying out the objects of their creation as provided by statute or ordinance, and the same to invest or re-invest, sell, assign, transfer or cancel, as the interests of their trusts may require, and with power to sue and liability to be sued in such corporate name in any court of law or equity in this state in any matters arising out of their duties, purchases, investments or sales, or in connection therewith.

Commissioners to be a body corporate.

Powers.

May cancel and
retire bonds.

2. Such commissioners may cancel and retire, if they deem it of advantage to the township to so do, any bonds or bonds, or series of bonds, held by them and issued by the township of which they are commissioners, whether such bonds are then due or not, and said commissioners shall be at liberty to purchase any of the bonds of the township for which they are commissioners with funds held by them for the redemption of such outstanding bonds, or purchase and hold any series of bonds of the township to be held as a part of the invested assets of the sinking fund commission, which are to be used for the redemption of any other series of bonds of the township, and they may also purchase and hold the notes or temporary obligations of any such township authorized by law.

3. This act shall take effect immediately.

Approved March 17, 1896.

CHAPTER 45.

An Act to amend an act entitled "An act concerning public roads and parks, and creating boards for the control and management of the same, approved March first, one thousand eight hundred and ninety-three," also a supplement to said act.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section three of the act entitled "An act concerning public roads and parks, and creating boards for the control and management of the same, approved March first, one thousand eight hundred and ninety-three," be amended so as to read as follows:

Assembly of
legal voters of
district by whom
and how called.

3. The said township committee in each of said townships in which said act shall have been accepted in manner aforesaid, shall thereupon call an assembly in each of said districts into which said township has been divided as aforesaid, of the legal voters in said district, at such convenient place in said district, and within

three weeks after the acceptance of this act as aforesaid, at four o'clock in the afternoon, as the said committee shall deem expedient, upon ten days' notice by printed hand-bill or a hand-bill partly printed and partly written, to be posted conspicuously in at least ten public places in said district and published in a newspaper printed and published in the said township, or where there is no such newspaper then in one printed and published in the county and circulating in said township, at which assembly, after being duly organized, the said legal voters so assembled shall elect by ballot a suitable person, who shall also be a legal voter in the township and a freeholder and resident in the district for which he is nominated, as a road commissioner for said district for the term of three years; and the said legal voters so assembled shall also have the same powers and authority in relation to the voting and raising of money for the making, maintaining and repairing the public highways within such district as the inhabitants of the said township now have or had in relation to the roads and highways therein when assembled in town meeting, and in addition thereto they shall also have the power of appropriating such sums of money as they may deem proper for keeping in repair or improving any public parks in said township now acquired or that may hereafter be acquired under any of the laws of this state, and also to appropriate moneys for the laying and constructing of sidewalks and keeping the same in repair, the said voters having the option of designating where said money so appropriated for sidewalks shall be expended; and they and their property, both real and personal, shall be in all respects liable for the same, in like manner as the inhabitants of the said township and their said property are now liable in respect to the roads therein; *provided*, that in making assessments for the purposes mentioned in this act, no deductions shall be made for debts owing by the owners of the real estate assessed, or for any mortgage thereon; *and provided*, that each of the said districts respectively shall make, maintain and keep in repair, under the direction of the board to be composed as hereinafter provided, the public highways within their respective limits, in the same manner, to the

Voters to elect
a road
commissioner.

Authority to
vote and raise
money for
highways and
sidewalks.

Proviso.

Proviso.

Proviso. extent of each district respectively as the said township now is authorized and required to make, maintain and keep in repair the highways within its limits; *and provided further*, that all moneys so voted and raised by any district shall be applied by the said board to the use of the public highways and sidewalks in such district and not in any other district; that no decision, vote or appropriation shall be valid unless at least twelve legal voters of said district shall be present and take part therein; and if twelve legal voters of said district are not present on the day appointed as aforesaid, the said meeting shall be adjourned from day to day until said number of legal voters are present, and a majority of those present shall be necessary to give validity to a decision, vote or appropriation; that a minute of the proceedings of said meeting shall be made by the secretary of said meeting to be entered in the book of minutes of said district, which minute shall specify the names of at least twelve legal voters present at the assembly.

2. Section seven of said act be amended so as to read as follows:

Board to call assembly of voters once in every year.

7. The said board shall once in every year call an assembly in each of said districts of the legal voters in said district, in the manner provided for in section three of this act; that at said assembly the commissioner of said district shall preside, and the said legal voters so assembled shall have the same powers and authority particularly enumerated and set out in said last-named section, and they and their property shall be subject to the like liability therein particularly stated; that the enactment in this section shall be subject to the three provisos in said last-named section particularly set out, and that no vote or appropriation shall be valid unless under circumstances detailed in said section, and that a minute of said meeting shall be kept and entered as therein provided.

Townships accepting this act may increase or decrease road districts.

3. The township committee of any township which has accepted the provisions of this act, may at any time within one month after the regular annual election of a member of the township committee, with the consent of the public road board of such township, increase or diminish the number of road districts in such township,

or change the boundaries of any of said districts; *pro-
 vided*, that no such change shall be made until one week
 after a motion therefor, in writing, specifying the change
 proposed to be made shall have been introduced and
 read at a meeting of said committee; and within two
 weeks after the passage of any order or resolution
 making such change, a copy thereof, together with a
 map of the road districts of said township as changed,
 shall be filed in the office of the road board of said town-
 ship and in the office of the clerk of the county in which
 said township is located.

4. Every road commissioner elected pursuant to the
 provisions of this act shall, within ten days after his
 election, and before entering upon the duties of his
 office, give a bond, with two sureties who are freehold-
 ers and residents of the said township, to the public
 road board of said township, in such sum as said road
 board shall fix, not less than two thousand five hundred
 dollars, conditioned for the faithful performance of the
 duties of his office of road commissioner according to
 law, and for the payment by him to his successor in
 office of all moneys received by him as such road com-
 missioner remaining in his hands, not expended in the
 lawful and proper discharge of the duties of his office,
 and that he render at all times when called upon by
 said road board, and at the end of his term of office, a
 just and true account of all moneys received and paid
 out as such road commissioner, which bond shall be
 filed with the clerk of the township.

5. This act shall take effect immediately.
 Approved March 17, 1896.

Proviso.

Road
 commissioner
 to give bond.

Amount.

CHAPTER 46.

An Act to amend an act entitled "An act for the classification of counties of this state for all purposes of legislation in relation thereto," approved February seventh, one thousand eight hundred and eighty-three.

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

Classification
of counties.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act the classification of the counties of this state shall, for all purposes of legislation in relation thereto, be as follows, viz.: counties of the first class, counties of the second class, counties of the third class, counties of the fourth class; such classification to be based upon the population of said counties as ascertained by the federal census, taken by authority of the United States.

In case the
classification of
counties be
changed where
to take effect.

2. In case the classification of any county shall be changed by reason of increase of population, as shown by any future federal census, such change of class shall be deemed to take effect on the first day of January following the taking of such census.

3. This act shall take effect immediately.

Approved March 17, 1896.

CHAPTER 47.

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

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*: 1. 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 to which this act is a supplement, for all services rendered and required of them by law in connection with the election held for members of the General Assembly, shall be in proportion to the number of registered voters in each election district, as hereinafter provided, that is to say, the compensation of each member of the boards of registry and election aforesaid shall not exceed fifteen dollars in districts where the number of registered voters is not more than one hundred and fifty; twenty dollars in districts where the number of registered voters is more than one hundred and fifty and not more than three hundred, and twenty-five dollars in districts where the number of registered voters is more than three hundred; said sums to be paid as other election expenses are now paid and to be in lieu of all other fees and charges whatsoever; *provided*, that none of the provisions of this act shall apply to or affect cities having a population exceeding forty thousand.

Compensation of
members of
board of
election.

Proviso.

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 17, 1896.

CHAPTER 48.

A Further Supplement to an act entitled "An act providing for the establishment of schools for industrial education," approved March twenty-fourth, one thousand eight hundred and eighty-one.

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

Term of office
of trustees.

1. The trustees of schools for industrial education, to be hereafter appointed by the governor of this state for full terms under and by virtue of the acts to which this is a supplement or the supplements thereto, shall serve for terms of four years and not for terms of five years, as now required by law.

2. This act shall take effect immediately.

Approved March 17, 1896.

CHAPTER 49.

An Act to repeal section twenty-seven of an act entitled "An act to amend an act entitled 'An act to establish a system of public instruction'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, which amendatory act was approved May twenty-fifth, one thousand eight hundred and ninety-four, and is chapter 335 of the laws of 1894.

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

Repealer.

1. Section twenty-seven of the act mentioned in the title of this act, being chapter three hundred and thirty-

five (335) of the laws of one thousand eight hundred and ninety-four, is hereby repealed.

2. This act shall take effect immediately.

Approved March 17, 1896.

CHAPTER 50.

An Act to further provide for the formation of a quorum in the boards of trustees of incorporated orphan asylums.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of trustees of any incorporated orphan asylum in this state to determine by their by-laws from time to time what number of persons shall constitute a quorum, which shall not be less than five persons, for the transaction of the business of said board. Quorum in board.

2. So much of any act as is inconsistent with the provisions of this act be and the same is hereby repealed. Repealer.

3. This act shall take effect immediately.

Approved March 18, 1896.

CHAPTER 51.

An Act to enable cities of the third class in this state to improve and repair waterworks, extend the water supply, and to issue bonds for the payment thereof.

BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*: 1. The common council, board of aldermen or other governing body having the control and management of the water supply in any city of the third class of this state, be and are hereby Cities authorized to issue bonds to improve and repair waterworks, &c.

authorized and required, for the purpose of improving and repairing the waterworks and extending the water supply and the purchase and acquisition of land and water rights therefor and the construction of buildings, stand-pipes and reservoirs thereon, and the purchase and erection of pumps, machinery and other appliances and the laying of pipes in and along the streets of said city, to issue bonds in the name and under the seal of the city, to be denominated on their face, "water bonds," in addition to any heretofore authorized by law; *provided*, the total amount of water bonds outstanding at any time shall not exceed two hundred and fifty thousand dollars; such bonds may be registered or coupon bonds and shall bear a rate of interest not exceeding five per centum per annum, and shall be redeemable at any time not less than five nor more than thirty years from their date, in the discretion of said board, which bonds may be sold at public or private sale for the best price that can be obtained for the same, but not under the par value thereof; all bonds issued as aforesaid shall be signed by the city treasurer and countersigned by the mayor of said city, and all the real estate within such city shall be liable for the payment of the principal and interest that may become due on the bonds to be issued by virtue of this act.

Proviso.

Repealer.

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

Approved March 18, 1896.

CHAPTER 52.

AN Act to amend the act entitled "A further supplement to an act entitled 'An act for the formation of borough governments,' Approved April fifth, one thousand eight hundred and seventy-eight," approved March seventh, one thousand eight hundred and ninety-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, Section two of the act entitled "A further supplement to an act entitled 'An act for the formation of borough governments,' approved April fifth, one thousand eight hundred and seventy-eight," which supplement was approved March seventh, one thousand eight hundred and ninety-five, shall be and is hereby amended to read as follows:

Section to be amended.

2. In all boroughs incorporated under the act to which this is a supplement the legal voters of said boroughs shall, at the annual election for borough officers, elect one constable, two surveyors of the highway, two pound-keepers and one overseer of the poor for such boroughs, the term of office of the several officers to be in accordance with existing statutes regulating the term of office of such officers in townships.

Officers to be elected.

3. This act shall take effect immediately.

Approved March 18, 1896.

CHAPTER 53.

An Act to amend the act entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act for the formation of borough governments, approved April fifth, one thousand eight hundred and seventy-eight,"' which supplement was approved May ninth, one thousand eight hundred and ninety-four," and is Chapter CLXXVI of the laws of one thousand eight hundred and ninety-four, which supplement was approved February twenty-fifth, one thousand eight hundred and ninety-five.

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

1. Section two of said act be and the same is hereby amended so that henceforth said section two shall be and read as follows, to wit:

Voters of
borough entitled
to vote for
freeholder and
justices of the
peace.

2. At the annual elections for borough officers, which are held on the same day that the annual township elections are held in the various townships of this state, the legal voters of any borough heretofore organized under and by virtue of the act to which this is a supplement, embracing within its territory parts of more than one township, shall be entitled to vote within such borough for a chosen freeholder and justices of the peace for the township in which a majority of the legal voters of such borough shall reside at the time of the passage of this act, and the legal voters of any such borough hereafter organized under and by virtue of said act shall be entitled to vote therein for a chosen freeholder and justices of the peace for the township in which a majority of such legal voters shall reside at the time of the incorporation of such borough.

2. Section four of said act be and the same is hereby amended so that henceforth said section four shall be and read as follows, to wit:

4. The votes polled in such borough for freeholder and justices of the peace shall be added to the votes polled in the township and canvassed in the same manner as the votes of the several election districts in the township, and canvassed in the same manner as the votes of the several election districts in townships now are or hereafter may be directed by law to be canvassed.

Votes polled,
how canvassed.

3. This act shall take effect immediately.

Approved March 18, 1896.

CHAPTER 54.

An Act to amend an act entitled "An act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war and authorizing appropriations for such purposes," approved May ninth, one thousand eight hundred and eighty-nine.

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

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

2. No part of any such appropriation shall be expended until the organizations of veteran soldiers and sailors in such county have raised by voluntary contribution or otherwise a sum equal to at least fifty per centum of the amount of any such appropriation; any part of the money heretofore raised by the veterans may be expended in the purchase of a site for such monument; the title to which land when such purchase shall have been made shall be vested in the county; *provided, however,* that nothing herein contained shall prevent the erection of such monument upon the land of any municipality within such county, and when so erected the title to such land shall not be vested in the county.

No part of ap-
propriation to be
expended until
fifty per cent. is
contributed.

Proviso.

2. Any monument erected by moneys appropriated and raised as provided in the act to which this is amendatory shall be located and erected under the supervision

Monuments
erected under
supervision of
committee.

of a committee of not less than six members, which committee shall be designated by the grand jury posts in the county.

County collector authorized to pay over moneys appropriated.

3. In any county where a committee has heretofore been organized for the purpose of erecting a monument as provided for in this act and the act to which this is a supplement, and the board of chosen freeholders of such county have appropriated money for such purpose, it shall be the duty of the county collector of such county upon demand in writing to pay over to the treasurer of such committee heretofore elected or appointed the moneys so appropriated, which moneys when so paid shall be used exclusively for the erection of such monument.

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

Approved March 18, 1896.

CHAPTER 55.

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

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

Notice to be published.

1. For the passage of any bill authorizing the erection of a bridge over any navigable water in this state, the notice required by the first section of the act to which this is a supplement shall be published in a daily newspaper printed and published in every county wherever said bill is likely to take effect for at least five days prior to the introduction of such bill.

2. This act shall take effect immediately, and all acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 18, 1896.

CHAPTER 56.

A Further Supplement to an act entitled "An act to authorize the board of chosen freeholders of any of the several counties of this state to lay out, open, construct, improve and maintain a public road therein," approved April seventh, one thousand eight hundred and eighty-eight.

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

1. Whenever the board of chosen freeholders of any county in this state shall have laid out, opened and improved a public road in said county in accordance with the provisions of the act to which this is a further supplement and the acts supplementary and amendatory thereto, and shall have also laid out and opened and improved or partially improved any branch or connecting road or roads to said public road in accordance with and by authority of the provisions of the act to which this is a further supplement or any act or acts supplementary thereof or amendatory thereto, it shall be lawful for the said board of chosen freeholders to further improve the said branch or connecting road or roads by paving and curbing the same, by planting trees, by extending to the same the lighting plant, if any there be, on the main road, and to do all other work necessary to make said branch or connecting road or roads equal to the main public road as a good and serviceable highway.

Board authorized to pave, curb, &c. branch or connecting roads.

2. All proceedings and work herein authorized and all expenditures of moneys in payment thereof, shall be subject to the same provisions, restrictions and supervision as all other proceedings in the construction and improvement of the main public road, as provided by the act to which this is a further supplement, and the total cost of laying out, opening, constructing and improving said branch or connecting road or roads,

Proceedings and expenditures of money subject to certain provisions.

including all work authorized by this act, and also including all costs of acquirement of right of way and damages, shall not exceed an average cost of one hundred and ten thousand dollars per mile.

Average cost per mile.

Board may issue bonds.

3. Said board of chosen freeholders is hereby authorized, in order to secure sufficient moneys to meet the requirements and purposes of this act, to provide for and make an issue of bonds in addition to any bonds already issued for the purpose of laying out, opening and constructing said branch or connecting roads to an amount sufficient to carry out the provisions of this act; *provided, however*, that the issue herein authorized shall not exceed the sum of two hundred and fifty thousand dollars, and the bonds to be issued hereunder shall be of like terms and effect to those authorized to be issued under the original act to which this is a supplement.

Proviso.

Repealer.

4. All acts or parts of acts, general, special, local or otherwise, inconsistent with the provisions of this act, be and the same are hereby repealed, and this act shall take effect immediately.

Passed March 19, 1896.

CHAPTER 57.

An Act to enable cities of the second class in this state to repave streets, and to issue bonds in payment therefor.

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

Cities may advertise for bids for purchase of bonds for improvements

1. When the common council, board of aldermen or other governing body of any city of the second class having charge or control of the streets of such city, shall by ordinance with the approval of the mayor, having provided for repaving of any street or streets in such city, and shall have advertised for bids for the doing of such work, in pursuance of the provisions of the city charter, and shall have obtained bids for the doing of

said work, so that the total cost thereof can be approximately estimated, the said common council, board of aldermen or other governing body shall thereupon advertise for bids for the purchase of the bonds of such city for the purpose of paying the cost of said improvements.

2. The said common council, board of aldermen or other governing body of such city shall have power to issue the bonds of such city to the highest bidder with the approval of the mayor of such city for an amount sufficient to cover the cost of such improvements, which bonds shall bear interest at a rate not to exceed four per centum per annum, and shall run for a period not less than twenty years, and shall be issued in such denominations as may be deemed convenient, with a view to obtaining the sale of the same, or a part thereof, to the public generally as a popular loan bond, and shall pledge the faith and credit of the city for the payment of the same.

May issue bonds.

Interest.

3. The said bonds shall not be issued for more than two hundred thousand (\$200,000) dollars, and the proceeds thereof shall be applied exclusively to the payment of the cost of the repaving of streets, as aforesaid.

Amount authorized to be issued.

4. For the purpose of discharging the said bonds as they mature, the said common council, board of aldermen or other governing body shall create or cause to be created a sinking fund, to be known as the "repaving fund," and the assessor or assessors of such city shall assess annually such a percentage on the real estate and ratables therein calculated on the amount of said bonds as will at the maturity of said bonds be sufficient in the aggregate to retire them, which percentage shall be collected annually by the collecting officer of such city and paid over by him to the board or officer in charge of said sinking fund, to be deposited in and credited to said fund.

Sinking fund established.

Duties of assessor.

5. For the purpose of investing the moneys so collected the mayor of such city, together with the treasurer, city comptroller and the chairman of the board of finance, or committee of finance of the governing body, and the law officer or attorney of such city, shall constitute a board, to be known as the sinking fund commission, and shall have power to properly and

Who to constitute sinking fund commission and their powers.

safely invest and reinvest the moneys of such sinking fund in any city, county, state or United States government bonds, so that the interest on the bonds issued by such city for repaving, as aforesaid, may be met and offset from year to year as nearly as may be done by the interest on the sinking fund so invested.

Act when to
take effect.

Proviso.

6. All acts or parts of acts inconsistent with the provisions of this act be and they hereby are repealed, and this act shall take effect immediately; *provided, however*, that this act shall not be construed to affect the provisions of any city charter.

Passed March 19, 1896.

CHAPTER 58.

An Act placing Charles S. Barnard, late a captain in the national guard of this state, on the retired list with the rank of major.

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

Retired with
rank of major.

1. Charles S. Barnard, formerly an officer of the national guard of this state, who resigned his office as captain of Company D, Sixth Regiment, April seventh, eighteen hundred and ninety-two, is hereby placed on the retired list of the national guard with the rank of major.

2. This act shall take effect immediately.

Approved March 19, 1896.

CHAPTER 59.

An Act to extend the time for building and putting in operation certain street railways incorporated under an act entitled "An act to provide for the incorporation of street railway companies and to regulate the same," approved April sixth, one thousand eight hundred and eighty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever the time limited for the building and putting in operation of any street railway, or any portion thereof authorized to be constructed under the act referred to in the title of this act, shall expire during the year one thousand eight hundred and ninety-six, such time shall be and the same is hereby extended for a further period of one year, and any moneys paid to the state treasurer as a guarantee of good faith under section three of said act shall not be forfeited to the use of the state until the expiration of said further period of one year; *provided, however*, that this act shall not apply unless money has actually been expended in the construction of said railway, or some portion thereof has been in actual operation previous to January first, eighteen hundred ninety-six.

Time limited for building of roads extended.

Proviso.

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

Approved March 19, 1896.

CHAPTER 60.

An Act relating to the taking and appropriating of lands and real estate for the purpose of street improvements in cities of the first class.

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

Hereafter not necessary to treat with owners of lands taken or appropriated for improvements.

Board may by resolution refer to commissioners to make assessments, &c.

Act to apply in cases in which ordinances have been passed.

1. It shall not hereafter be necessary in any city of the first class for the board of street and water commissioners or other board having charge thereof to treat with the owner or owners of any lands or real estate to be taken or appropriated for the purpose of laying out and opening of any street, road, highway or alley, public park or square, within said city, or of altering, widening or straightening any street, road, highway or alley, or of making any sewer or drain, but that such board may, after the passage of an ordinance for any of the purposes aforesaid, proceed at once by resolution to refer it to the commissioners appointed to estimate, compute, fix, determine and make all assessments for damages and benefits caused by any local improvement made or to be made in such city to make an estimate and assessment of the damages that any such owner or owners will sustain by taking and appropriating in the manner aforesaid, such lands and real estate.

2. This act shall take effect immediately and be applicable to any and all cases in which ordinances for any of the purposes aforesaid have been passed, whether such board has already begun to treat with the owner or owners of such lands and real estate or not.

Approved March 19, 1896.

CHAPTER 61.

An act to authorize the appointment of collectors of personal taxes in certain cities of the second class by the receivers of taxes in such cities.

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

1. In all cities of the second class having a population exceeding fifty thousand inhabitants, the receiver of taxes and assessments, or other officer charged with the duty of receiving the taxes of any such city, shall have power to appoint, with the approval of the mayor, a collector of unpaid taxes upon personal property, and such appointment shall be made by the receiver aforesaid in writing under his hand and approved in writing by the mayor.

Appointment of collectors of unpaid taxes.

2. Such collector of personal taxes shall give bond in the sum of five thousand dollars (\$5,000) for the faithful performance of his duty, and shall be charged with the collection of all unpaid taxes levied upon personal property within such city, and shall have all powers and authority to collect and enforce the collection thereof, by sale or otherwise, as fully as the officer appointing him; and it shall be his duty to keep an accurate account of all money received by him, and he shall at least once in each week pay over to the officer so appointing him all money which he may before that time have collected; he shall be appointed for the term of five years, and shall receive such annual salary as the board of aldermen or other governing body of such city may by resolution determine; which, however, shall in no case exceed the sum of fifteen hundred dollars (\$1,500) and shall be paid monthly.

Collectors to give bond.

Duties, term of office and salary.

3. This act shall take effect immediately.

Approved March 19, 1896.

CHAPTER 62.

An Act authorizing the raising of money for the construction of bicycle and foot paths along and upon the public roads of the townships of this state, and setting apart such paths when constructed for the exclusive use of bicycle riders and foot passengers.

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

Voters authorized to grant and raise money for construction of bicycle and foot paths.

1. The persons qualified to vote at township meetings shall be and they are hereby empowered at their annual meetings or at any other meeting duly held for the purpose to vote, grant and raise such sums of money for the construction of bicycle and foot paths along and upon the public roads of the township as such persons by a vote of a majority of the persons voting shall determine, which money so voted, granted and raised shall be expended in the construction of such bicycle and foot paths by the officials of the township charged with the care and repair of public roads; *provided*, that only one such path shall be constructed along and upon any particular road.

Proviso.

Paths, how constructed.

2. Said bicycle and foot paths shall be not less than three nor more than six feet in width, and shall be constructed along and upon such of the public roads of the township, and over such part of any particular public road between the outside lines thereof as the township committee shall determine.

Paths to be set apart and used for bicycle riders and foot passengers.

3. Said paths when constructed under the provisions of this act shall be set apart for and to be used by bicycle riders and foot passengers, and every person who shall ride or drive a team thereon, except for the purpose of crossing the same when necessary so to do, shall forfeit and pay the sum of five dollars to the use of the township, to be sued for and recovered by any person who will sue for the same.

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. Repealer.

Approved March 19, 1896.

CHAPTER 63.

An Act relative to the arbitration of the claims of William Brumaker against the State of New Jersey.

WHEREAS, a controversy exists as to the amount legally and equitably due from the State of New Jersey to William Brumaker for work done and materials furnished and for extra work done and materials furnished in the erection and completion of the assembly chamber, an addition to the state capitol building; Preamble.

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

1. All matters in difference between the state of New Jersey and William Brumaker shall be and the same are hereby submitted to the arbitration of three arbitrators, one of whom shall be chosen by the governor, one by the said William Brumaker, and the the third by the two so chosen; such arbitrators shall be duly sworn by a justice of the supreme court to thoroughly examine all matters in difference between the state of New Jersey and the said William Brumaker and to report what amount, if anything, is legally and equitably due to the said William Brumaker for all work done and materials furnished by him in the erection and completion of the assembly chamber; the said arbitrators shall be chosen within sixty days after the passage of this act; they shall have power to swear and examine witnesses and the necessary expenses of such arbitrators shall be allowed by the comptroller on the approval of the governor; the award of said arbitrators Appointment of arbitrators.

Award of arbitrators to be submitted to the governor.

Award to be approved by governor.

shall be in writing, and shall be submitted to the governor for his approval; if he disagrees with the conclusions of the majority of said arbitrators he shall return their award for correction; when a majority of said arbitrators shall reach a conclusion which shall be approved by the governor he shall endorse his approval thereon, and the award so approved shall be final, conclusive and binding upon the state and the said William Brumaker; any money found to be due the said William Brumaker by the award approved as aforesaid shall be paid to him from any state moneys not otherwise appropriated.

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

Approved March 19, 1896.

CHAPTER 64.

AN ACT relative to the residence of directors and officers of corporations in this state.

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

Residence of directors and officers.

Proviso.

1. It shall not hereafter be necessary for the directors and officers of any company, corporation or association incorporated under any special charter to reside in any designated county or counties of this state; *provided*, that this act shall not apply to mutual fire insurance companies incorporated by special charter.

2. This act shall take effect immediately.

Approved March 19, 1896.

CHAPTER 65.

Supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials in erecting any building."

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

1. Where a lien has been filed against any lands and the building thereon erected under the act to which this is a supplement, and it shall be made to appear, by affidavit or otherwise, to the satisfaction of the justice of the supreme court holding the circuit court in the county wherein said lien is filed, that said lien has been duly paid and satisfied and that the claimant under said lien and his attorney, or both, have died or removed from this state since the filing of said lien, and said lien still remains on record as unsatisfied, the judge of said court shall have the power to forthwith discharge said lien.

When lien may
be discharged.

2. This act shall take effect immediately.

Approved March 19, 1896.

CHAPTER 66.

An Act to repeal the first section of an act entitled "A further supplement to an act entitled 'An act to regulate fisheries in the river Delaware and for other purposes,'" passed November twenty-sixth, one thousand eight hundred and eight, which further supplement was approved April fourth, one thousand eight hundred and seventy-three.

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

Repealer.

1. Section one of the act set out in the title of this act, being chapter DCIII of the laws of one thousand eight hundred and seventy-three, is hereby repealed and this act shall take effect immediately.

Approved March 19, 1896.

CHAPTER 67.

An Act to repeal an act entitled "An act to incorporate the West Jersey game protective society," approved April third, anno domini one thousand eight hundred and seventy-three, and certain amendments and supplements thereto.

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

Repealer.

1. An act entitled "An act to incorporate the West Jersey game protective society," approved April third, anno domini one thousand eight hundred and seventy-three, and all supplements and amendments thereto, so far as said supplements and amendments confer any

power, authority, privilege or rights upon said West Jersey game protective society, be and the same are hereby repealed.

2. This act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 68.

An Act to repeal an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to incorporate trustees of religious societies,"' approved April ninth, one thousand eight hundred and seventy-five,' which supplement was approved April fourth, one thousand eight hundred and ninety-one," which amendatory act was 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* :

1. The act mentioned in the title of this act, being Chapter 315 of the session laws of 1894, page 472, be and the same is hereby repealed. Repealer.

2. This act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 69.

An Act to amend an act entitled "An act to enable towns, villages and municipalities governed by boards of commissioners or improvement commissions to construct sewers through tide-water creeks or water courses within their corporate limits," approved March sixth, anno domini one thousand eight hundred and ninety-five.

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

Section to be amended.

1. Section one of an act entitled "An act to enable towns, villages and municipalities governed by boards of commissioners or improvement commissions to construct sewers through tide-water creeks or water courses within their corporate limits," approved March sixth, one thousand eight hundred and ninety-five, be and the same is hereby amended so as to read as follows :

Municipalities may construct sewers

1. In any town or village or in any municipality governed by a board of commissioners or improvement commission in this state wherein any tide-water creek or water course now exists into which sewers and drains now empty, it shall and may be lawful for the governing body of any such municipality having the charge and control of sewers in such municipality, whenever they deem the same necessary, to cause to be constructed through such tide-water creek or water course, or partly through such tide-water creek or water course and partly through the streets and public highways, or other places in such municipality, an enclosed sewer to receive the sewage from the sewers and drains emptying into such creek or water course, and for general sewerage purposes ; from such point in such creek or water course to such point of outlet thereon as may be most advisable and expedient, or to such outlet upon any of the tide-waters bounding upon such town, village or upon such

municipality governed by commissioners or improvement commissions, into which the sewers thereof now enter; *and further*, to cause such creek or water course, or such part or parts thereof as they may deem necessary, to be thereupon filled up by the owners of the land adjoining and abutting upon the same, and such governing body is hereby invested with full power to locate and construct such sewer in manner aforesaid, together with all necessary drains, pumps, docks, dams, tide-water banks, and such other works as they shall deem necessary, either upon or across any private lands, streets or highways or parts of streets or highways, or other places, with full powers of condemnation of any lands taken for the purposes aforesaid.

May cause owners of land to fill up creek or water course.

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

4. When any such improvement shall be located upon any lands other than public highways or streets and such lands or any easement, right or estate therein shall be necessary for the construction of said sewer and appurtenances then it shall be lawful for any such municipality, as aforesaid, to acquire the said land by purchase or by condemnation; and in case condemnation proceedings are necessary, they shall be carried on and conducted under the provisions of such acts as may then be in force providing a method of procedure for the condemnation of lands required for public highways or sewers in towns, villages, boroughs and municipalities governed by a board of commissioners or improvement commission.

Lands may be acquired by condemnation.

Proceedings for condemnation of lands.

3. If in the construction of any such sewer, the governing body of any such municipality shall deem it to be expedient and advisable to terminate said sewer at some point other than the mouth of said creek or water course, and to leave open such portion of said creek or water course as may lie between its mouth and the terminus of such sewer, it shall be lawful for such governing body to cause such portion of said creek or water course, as they may decide to leave open as aforesaid, to be cleaned and properly walled or docked, and the cost and expense thereof shall be added to and become a part of the cost of constructing such sewer.

May clean, wall or dock water course.

Repealer.

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

Approved March 23, 1896.

CHAPTER 70.

An Act to provide for music for the public parks and other public places to which the people resort for pleasure, recreation and amusement in the boroughs of this state.

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

Boroughs may assess and collect taxes to provide music for public parks, &c.

1. It shall be lawful to assess and collect in any incorporated borough, whenever the council or governing body shall deem it to the best interests of and for the good of the borough, one mill, or any portion thereof, on each dollar of the assessed valuation of the property therein, for the purpose of providing music for the public parks and other public places to which the people resort for pleasure, recreation and amusement.

May by resolution direct assessor to raise money.

2. Whenever the mayor and council of any such borough shall deem it to the public interests, and for the good of the borough, that an assessment should be made for the purpose aforesaid, they may, by resolution regularly adopted, direct the assessor of said borough to raise such sum of money as they shall deem necessary for the purpose aforesaid, which shall not, however, exceed one mill on the dollar, as aforesaid.

Tax, how assessed and collected.

3. The assessor, on receipt of a resolution, such as is provided for in the preceding section, shall, at the time when the annual taxes are assessed, assess the amount called for in said resolution against all the property in said borough, and said assessment shall be collected at the same time that the annual taxes are collected, and by the same officers, and the said borough shall have the

same remedies for the collection thereof that are provided for the collection of the regular borough tax.

4. This act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 71.

An Act to provide for the appointment of clerks of the grand jury in counties of the third class in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*: It shall be the duty of the court of oyer and terminer, in all counties of the third class in this state, upon the recommendation of the prosecutor of the pleas of said county, to appoint a clerk for the grand jury, under the seal of the court, who shall hold his office for one year, unless sooner removed by the court, said clerk to receive no salary.

Clerk for grand jury, how appointed.

2. This act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 72.

An Act to provide for the release of sureties in certain cases.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That at any time after the expiration of one year from the date of any final decree of distribution made after the passing by any orphans' court or other competent court of this state of the final account of any administrator, executor, assignee for the benefit of creditors, trustee under any will, or guardian

Courts may release sureties in certain cases.

of any minor, the court which passed such final account shall, upon application on behalf of any person interested, upon such notice to the other interested persons as the court may prescribe, and upon proof being made to the satisfaction of said court that the entire trust estate has been distributed according to law, and that no appeal from such orders of distribution is pending, make an order discharging the sureties or bondsmen of such administrator, executor, assignee, trustee or guardian, as the case may be, from any and every liability by reason of their having become such sureties.

When liability of sureties to terminate.

2. From and after the making of such order all liability of every such surety named in such order, and his, her or their heirs, executors and administrators, under or by virtue of his, her or their undertaking as such surety, shall cease, terminate and be at an end, but that the personal liability of such administrator, executor, assignee, trustee or guardian, as the case may be, shall nevertheless be and remain as if no such order had ever been made.

Repealer.

3. All acts and parts of acts inconsistent with the provisions of this act, in so far as inconsistent therewith, be and are hereby repealed, and that this act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 73.

An Act for the appointment of agents to acquire a certain tract of land, situate in the county of Hudson, for the purpose of enlarging the grounds used for the soldiers' home at Kearny.

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

Governor to appoint agents to acquire and purchase land.

1. The governor shall appoint three citizens of this state to be agents of the state to acquire, by purchase, for the public use of the state, for the purpose of

enlarging the grounds of the soldiers' home at Kearny, that certain tract of land situate, lying and being in Kearny park, in the county of Hudson and state of New Jersey, and more particularly described as follows: beginning at a point in the northeasterly corner of Passaic avenue and Afton street, and running thence (1) in a northerly direction along the westerly line of Passaic avenue ninety feet and twenty-four inches to corner of lands now used by the soldiers' home; thence (2) in a westerly direction along the lands of the soldiers' home at right angles to Passaic avenue, a distance of eight hundred and fifty-eight feet and fifty-two inches to the easterly side of Belgrave drive; thence (3) in a southerly direction along the easterly side of Belgrave drive, a distance of ninety feet and fifty-six inches to the northeasterly corner of Belgrave drive and Afton street; thence (4) in an easterly direction along the northerly line of Afton street, a distance of eight hundred and fifty-five feet and seventeen inches to the point or place of beginning, being a strip of land lying between the grounds of the soldiers' home and Afton street, and known and distinguished as lots numbered thirty-five to sixty-six inclusive, on block lettered P on a certain map entitled "map of Kearny park, situated in Kearny, Hudson county, New Jersey," surveyed April first, one thousand eight hundred and ninety-one, and also to acquire by purchase for the said public use all rights, private ways, easements or servitudes held, exercised or used by any person or corporation in, upon or over the said tract of land or any part thereof.

Description.

The said agents shall proceed, immediately after such appointment, to perform the duties imposed upon them by this act, and that within one month from the date of their appointment they report in writing to the governor their proceedings, and whether they have been able to discover and agree with the owners and incumbancers of and upon the above-described lands for the purchase thereof, and if they have so agreed, then for what sum of purchase money, and whether said owners or incumbancers can make and execute valid conveyances and releases to the state to vest the title to said land in the state, free and clear from all incumbrances; and whether

Agents to report to the governor within one month after appointment.

they have been able to discover and agree with the persons or corporations who hold, exercise or use any right, private way, easement or servitude in, upon or over the said lands or any part thereof, for the purchase and extinguishment thereof, and what sum they have agreed upon (if they have so agreed) for the said purchase and extinguishment, and whether such persons or corporations can make and execute valid instruments for the conveyance and extinguishment aforesaid; and the said report shall be inspected by the governor and filed in the office of the comptroller of the treasury, and if approved by him the several amounts agreed upon and so approved by the governor shall, if appropriated by the legislature for that purpose, be paid by the state treasurer to the person or corporation entitled to receive the same, upon a warrant of the comptroller of the treasury; the deeds and other evidence of such purchase or transfer shall be first obtained and filed with the comptroller of the treasury.

Proceedings in case agents cannot agree with owners of lands.

3. If said agents shall be unable to agree with the owner or owners of any land or lands, or any right, title, interest or estate therein, desired to be acquired for the purposes aforesaid, or be unable to discover and agree with such owner or owners for the purchase thereof, or if said land or lands be so circumstanced or incumbered that good and valid conveyances and releases therefor and thereof cannot be made to the state, so as to vest a good and absolute title in fee simple, free and clear of all incumbrances, the said agents may apply to the chancellor for the appointment of three disinterested and impartial citizens of this state to be appraisers to ascertain and determine the value of such land or lands, right, title, interest or estate, as the case may be; notice of the time and place of such application to the chancellor shall be given to all parties interested, by advertisement or otherwise, in such manner as the chancellor shall direct, and the chancellor may appoint such appraisers, who, before entering upon the discharge of their duties, shall be sworn faithfully, impartially and justly to perform all the duties required of them by this act; and proceed to examine into and determine and adjudge the true value of the land or lands, right, title, interest or estate desired to be acquired by the state for the purposes afore-

Chancellor may appoint appraisers.

said ; they shall fix a time and place of meeting when and where they will proceed to discharge the duties devolved upon them by this act, notice whereof shall be given to all persons interested as follows : If the persons interested are known to the appraisers, and such persons are residents of this state, notice shall be served upon such interested persons at least ten days before the day named for the meeting by serving the same personally upon such person or persons, or by leaving the same at his residence or usual place of abode with some member of the family above the age of fifteen years ; if said interested persons are residents of this state, but upon due and diligent search and inquiry cannot be found therein, or their residences or usual place of abode cannot be ascertained, or if said persons are unknown to said appraisers, or are non-residents, or their whereabouts unknown, then the chancellor, on application to him by or on behalf of said appraisers, by his order, shall cause notice to be given to such person or persons by advertisement or otherwise, as he may deem reasonable and proper ; and notice so given shall be due notice to such persons of the time and place, object and purpose of the meeting of said appraisers.

4. At the time and place fixed the appraisers shall hear all persons interested who shall attend before them for that purpose in respect to the value of any tract or tracts of land, or any right, title, interest or estate therein proposed to be acquired by the state in such proceeding, and shall inspect all documentary proofs offered by said persons or any of them, and shall take the depositions of such witnesses as shall be produced to testify before them, and for that purpose they are hereby authorized to administer oaths or affirmations to such witnesses, and to employ a stenographer to reduce such depositions to writing, who shall receive the compensation prescribed by law to be paid to stenographers appointed by the circuit courts of this state ; the said agents may employ proper counsel to represent them before said appraisers, to be paid by the state ; the said appraisers may adjourn the proceedings before them from time to time, and orally announce at the close of each meeting the time and place at which the next meeting will be held.

Appraisers to
hear persons
interested.

May employ
stenographer
and counsel.

Appraisers to determine value of land and make report.

Governor to approve of award.

Award to be paid into the court of chancery.

Cost of proceedings; how and by whom paid.

Upon payment of award into court of chancery the agents to take possession of lands.

5. After the hearing as aforesaid said appraisers shall proceed to determine the value of the land or lands or of the right, title, interest or estate therein desired to be acquired, and make their report and award thereof in writing and file the same in the office of the clerk in chancery; the report and award shall be inspected by the governor, and if approved by him, the amount or amounts of such valuation or valuations, award or awards, shall, if previously appropriated by the legislature, be paid by the state treasurer upon warrant of the comptroller of the treasury into the court of chancery to the credit of the several parties named in said report, and award who may be entitled to receive the same; in case of doubt and dispute as to the person or persons entitled to receive any sum or part of any sum named in any such report or award, the chancellor shall cause notice to be given to all persons interested to appear before him and present their claims thereto, and the chancellor shall adjudge the validity of their claims and order payment thereof as he shall deem equitable and just; the entire cost of all such proceedings to be had as aforesaid, except attorney and counsel fees and witness fees and charges of persons opposing the claim or demand of the said agents, shall be defrayed by the state, and said appraisers shall receive such compensation for their services as the chancellor may fix.

6. When the sum or sums named in any such award or awards shall have been paid into the court of chancery as aforesaid, the said agents for and in behalf of the state of New Jersey shall take possession of the land or lands valued in any such award or awards, and thenceforth the land or lands so taken or any right, title, interest or estate therein acquired by virtue of any such proceedings as aforesaid, shall belong to and be the property of the state of New Jersey.

7. This act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 74.

An Act to amend an act entitled "An act to authorize the construction and maintenance of bridges and the approaches thereto over navigable waters which mark the dividing line between counties in this state," 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* :

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

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

1. Where navigable waters mark the dividing line between two counties of this state and the respective boards of chosen freeholders of such counties have resolved or may hereafter resolve that a bridge or bridges across such waters at any point or points, or between any points is a public necessity, it shall and may be lawful for such boards jointly to construct and maintain such bridge or bridges for uses exclusively public, and the expense thereof shall be borne by the said counties equally.

Boards may jointly construct and maintain bridges.

2. No bridge shall be constructed under the provisions of the act to which this is an amendment which will involve an expense to any county of the first class exceeding one hundred and fifty thousand dollars, or an expense to any county other than of the first class exceeding twenty-five thousand dollars, without the consent of three-fourths of all the members constituting the board of chosen freeholders of such county.

Expense of constructing bridge not to exceed a certain amount in certain counties.

3. This act shall take effect immediately.

Approved March 23, 1896.

CHAPTER 75.

An Act to amend an act entitled "An act to provide for the permanent improvement of public roads in this state," approved March twenty-second, one thousand eight hundred and ninety-five.

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

1. The eighteenth section of the said act shall be amended so as to read as follows :

When property owners shall desire to improve road, etc., supervisor to make plans, etc.

18. That if any property owners or owner along any road in any county of this state which has not been improved or is not undergoing improvement under the previous sections of this act shall desire any section of any road in such county to be improved or to be changed in location and improved, and are or is willing to contribute the whole expense of such improvement, and provided every owner of land upon that part of the road proposed to be vacated under this act shall consent in writing to such vacation, the supervisor of roads of such county shall, upon the written request of such owners or owner, make a plan of such sections of roads so to be improved or changed in location and improved, in which shall be given the levels and distances, and also specifications stating the materials that may be used and the manner of using them ; and a copy of such plan, location, change of location, specifications and of any bids to do such work shall then be submitted by such owners or owner to the board of chosen freeholders, and if such board shall approve them and any change of location which may be proposed, it shall then be lawful for such owners or owner to accept any bid or bids so approved from among the bidders, or at their own expense to proceed to build such section of road according to such plan, location and specifications, and such owners or owner shall have control of the expenditure of the moneys used to make

Proceedings thereafter.

such improvements, subject to the approval and supervision of the supervisor of such county; and upon the completion of the improvement to the satisfaction of the said supervisor and said board of chosen freeholders, and upon the submission to said board of receipts showing full payment for materials furnished and work done under the plan and specifications, such section of road so improved shall, if the board of chosen freeholders shall so declare, thereafter be a county road, but otherwise shall remain an ordinary public highway, and any and all portions of any road now existing which may have been rendered unnecessary or be superseded by the new road so constructed shall be vacated and abandoned as a public road without other action or proceedings than the approval of the board of chosen freeholders as hereinbefore provided; and the said supervisor shall be paid by the aforesaid owners or owner the sum of ten dollars for making the plan, the sum of five dollars for drawing the specifications, and the sum of five dollars for the supervision of the work, and in case such supervisor is not a civil engineer and actual survey is necessary, then such owners or owner at their or his expense shall procure a survey which shall be subject to the approval of such supervisor, which survey shall take the place of the plan before mentioned, and shall include all the new roads proposed to be constructed and all the old roads proposed to be abandoned.

Board may declare road a county road.

Approved March 23, 1896.

CHAPTER 76.

An Act to amend an act entitled "An act to enable township committees to encourage the use of broad tires on wagons and carts by a rebatement of taxes."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of an act entitled "An act to enable township committees to encour-

Section to be amended.

age the use of broad tires on wagons and carts by a rebatement of taxes," approved March sixteenth, one thousand eight hundred and ninety-three, which reads as follows :

"1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That township committees be and they are hereby authorized, when in their judgment it is for the public good, to pass an ordinance allowing a rebate of taxes for township or road purposes to all owners or possessors of wagons and carts used in said township for transportation of goods, wares, merchandise, produce, passengers, and for general farm, freight and express purposes, having tires of not less than four inches in width ; *provided*, the said rebate shall not exceed fifty cents for each wheel in use in any one year," be and the same is hereby amended so as to read as follows :

Committees authorized to allow rebate of taxes to owners of wagons, etc., of broad tires.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That township committees be and they are hereby authorized, when in their judgment it is for the public good, to pass an ordinance allowing a rebate of taxes for township or road purposes to all owners or possessors of wagons and carts used in said township for transportation of goods, wares, merchandise, produce, passengers, and for general farm, freight and express purposes, having tires of not less than four inches in width ; *provided*, the said rebate shall not exceed one dollar for each wheel in use in any one year.

Proviso.

2. That this act shall take effect immediately.
Passed March 24, 1896.

CHAPTER 77.

An Act to amend an act entitled "An act for the limitation of actions" (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* :

1. Section three of the act entitled "An act for the limitation of actions" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, be and the same is hereby amended so that the same shall read as follows :

3. Every action upon the case for words shall be commenced and sued within two years next after the words spoken and not after, and that all actions hereafter accruing for injuries to persons caused by the wrongful act, neglect or default of any person or persons, firm or firms, individual or individuals, corporation or corporations within this state, shall be commenced and instituted within two years next after the cause of such action shall have accrued and not after.

Actions to be commenced within two years.

2. This act shall take effect immediately.

Approved March 24, 1896.

CHAPTER 78.

An Act relating to elections and appointments to office hereafter to be made by any board of aldermen, common council, township committee, or other municipal board or body.

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

Members
ineligible for
election or
appointment
to office.

1. Hereafter, no member of any board of aldermen, township committee or other municipal board or body shall, while a member thereof, be eligible for election or appointment to any office that is now or hereafter may be, by law, required to be filled by any such board.

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 be deemed to be a public act and take effect immediately.

Approved March 24, 1896.

CHAPTER 79.

An Act concerning boards of chosen freeholders in counties of the first class in this state, and providing for the furnishing and supplying by any such board, free of any cost and charge, from any stone quarry or quarries and stone crusher or crushers owned and worked by such county, crushed or broken stone not exceeding fifteen hundred cubic yards in each year, towards the making, working, amending and repairing of the public roads and highways in the city, town or township in said county in which any of the county institutions and property and buildings of said county are located.

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

1. In every county of the first class in this state it shall be lawful for and the duty of the board of chosen freeholders of every such county to furnish and supply from any stone quarry or quarries and any stone crusher or crushers operated in connection therewith and owned and worked by such county, free of any cost and charge, toward the making, working, amending and repairing of the public roads and highways in the city, town or township in said county in which any of the county institutions and property and buildings of said county are located, such quantity of crushed or broken stone, and of such size or sizes as shall be requested by said city, town or township, and as hereinafter provided ; *provided*, nevertheless, that the quantity to which any such city, town or township shall be entitled and which said board of chosen freeholders shall be required to furnish and deliver, as aforesaid, to each of them, shall not exceed fifteen hundred cubic yards in each year.

Freeholders
to furnish
crushed stone
of such size
as requested.

Proviso.

- How delivered. 2. It shall be the duty of every such board of chosen freeholders to cause to be furnished and delivered at said quarry or quarries to any such city, town or township, upon the written request of the mayor, chairman or other principal officer thereof, and to such person or persons as he may designate to receive the same, so much of said crushed or broken stone and in such quantities and of such size or sizes, as shall, from time to time, be requested, not exceeding fifteen hundred cubic yards annually, and the same shall be thereafter used under the direction of the persons or officers having charge and supervision of the public roads and highways in said city, town and township, for the purposes in the first section of this act provided.
- Quantity and size. 3. The stone so furnished and delivered as aforesaid shall be used for, and applied to, the purposes mentioned in this act and for no other purposes whatsoever, and that if any person shall sell or offer to sell any of said stone or dispose of the same for any other purpose than as provided in this act, he, she or they so offending shall be deemed and adjudged guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding ninety days, or both.
- Purposes for which to be applied. 4. All acts or parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall be a public act and shall take effect immediately.
- Repealer. Approved March 24, 1896.

CHAPTER 80.

An Act to define the meaning and effect of a vote upon the submission of a question or proposition to the decision of legal voters.

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

1. When by the provisions of any statute the decision of any question has been or shall be submitted to the decision of a majority of the legal voters of this state or of any subdivision thereof; or when the approval of a majority of the legal voters of this state or of any subdivision thereof is required in any statute before such statute takes effect or before any prescribed action or proceeding under such statute shall be valid and lawful, it is hereby declared that the intent and meaning in any such statute of the words, legal voters, are persons entitled to vote, and who do vote, at the time and in the manner prescribed in and by such statute upon the question or proposition submitted; and that for the purpose of ascertaining what is a majority of the legal voters of any district defined in such statute upon the proposition therein directed to be submitted, neither the persons who do not vote at such election nor those who do not vote in such election upon the proposition submitted, shall be estimated, counted or considered for the purpose of ascertaining what is a majority of the legal voters in such district, with respect to the proposition submitted.

Intent and
meaning of
words
"legal voters."

2. 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 March 24, 1896.

CHAPTER 81.

An Act to provide for the election of an alderman-at-large in certain cities of this state and to regulate his duties and salary and term of office.

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

Alderman at large, how elected.

1. In each of the cities of this state now having or that may hereafter have a population of not exceeding forty thousand inhabitants according to the last preceding national or state census, and wherein the board of aldermen or common council consists of an even number of members, there shall be elected by all the legal voters of such city in addition to the aldermen or members of the common council now required to be elected by wards, an alderman-at-large, who shall hold his office for two years and shall receive the same annual salary as the other aldermen or members of common council in the city in which he shall be elected, and shall be a resident of said city.

Term of office.

Powers.

The said alderman-at-large shall by virtue of such election be the president of the common council or board of aldermen of said city and shall possess and exercise all the powers of a member of said common council or board of aldermen and also of the president thereof.

2. This act shall take effect immediately.

Approved March 24, 1896.

CHAPTER 82.

An Act consenting to the lease of the New York and Greenwood Lake Railway.

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

1. Consent be and the same is hereby given to the New York and Greenwood Lake Railway Company to lease its railroad, property and franchises to any foreign railroad corporation owning, controlling or possessing terminal facilities on the Hudson river, in this state, for such time and upon such terms as shall be agreed upon between the parties, and shall be approved by the holders of two-thirds in amount of the bonds and of the stock of the New York and Greenwood Lake Railway Company.

Consent to lease of railroad.

2. No lease under this act shall be of any effect whatever until the parties shall have caused a copy thereof to be filed in the office of the secretary of state of New Jersey, and also an agreement to be approved by the governor and attorney-general, surrendering to the state all rights of exemption from taxation, and all privileges and advantages arising from any alleged contract establishing any special mode of taxation in respect to such parties, and agreeing further that such lease shall not in anywise affect or impair the right of the state to take the property of such parties thereto under any existing law of the state, and that any law affecting such parties shall be subject to alteration or repeal by the legislature.

Copy of lease to be filed.

Agreement of surrender of certain rights to be approved.

3. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, so far as may be necessary to validate the lease herein authorized, and not otherwise, and that this act shall take effect immediately.

Repealer.

Approved March 24, 1896.

CHAPTER 83.

A Supplement to an act entitled "An act to amend the law relating to the property of married women," 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:*

Married men or women living in a state of separation may convey, mortgage, etc., real estate.

1. Any married man or woman owning real estate in this state, and who have lived in a state of separation from each other for more than seven years immediately preceding the application herein provided for, may apply by petition to the chancellor for an order authorizing such married man or woman to convey or mortgage said real estate, and the chancellor may, upon due proof taken, order that such married man or woman be authorized to convey, mortgage, lease or devise any interest, estate, or right that he or she may have in any real property with like effect as if he or she were sole and unmarried; *provided*, that such authority to convey shall not permit the conveyance or mortgaging any real estate which came to him or her by gift through or from the other.

Proviso.

3. This act shall take effect immediately.
Approved March 24, 1896.

CHAPTER 84.

An Act relating to poorhouses owned or maintained by townships and providing for the representation of new townships in the management thereof.

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

1. In case a new township has been or shall be formed out of the territory of one or more townships owning or renting real estate used for poorhouse purposes and maintaining a poorhouse thereon, such new township shall be represented in the management of said poorhouse, and shall have the same rights therein and be subject to the same liabilities as the township or townships out of which it has been or may be formed, and the trustee or other representative of said new township shall be admitted as a member of the board of trustees of said poorhouse property with the powers, privileges and obligations of the other members of said board.

New township to be represented in management of poorhouses.

2. This act shall take effect immediately.

Approved March 24, 1896.

CHAPTER 85.

A Supplement to an act entitled "An act respecting prosecutors of the pleas of the state," approved April sixteenth, one thousand eight hundred and forty-six.

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

1. In each county of the second class in this state which now has or may hereafter have a population exceeding one hundred thousand inhabitants, it shall be

Prosecutor authorized to appoint an assistant.

lawful for the prosecutor of the pleas thereof to appoint one assistant prosecutor, who, after having taken an oath or affirmation before the clerk of the court of common pleas of the county wherein he is appointed to faithfully and justly perform the duties of the appointment to the best of his ability, shall hold said appointment unless removed by the prosecutor; and the county collector of said county shall pay such assistant prosecutor for his services an annual salary of two thousand dollars in equal monthly payments out of the funds of said county, which said sum shall be in addition to the salary or fees received by the prosecutor of the pleas in any such county.

Salary of assistant prosecutor.

Repealer.

2. All acts or 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 24, 1896.

CHAPTER 86.

Supplement to an act entitled "A further supplement to an act entitled 'An act to regulate elections,'" approved April eighteenth, one thousand eight hundred and seventy-six, which further supplement was approved February nineteenth, one thousand eight hundred and ninety-six.

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

Provisions of act not to apply to certain charter elections in certain cities.

1. The provisions of the act to which this is a supplement, being chapter three of the laws of one thousand eight hundred and ninety-six, shall not be held or construed to apply to, regulate or affect the making, altering or revising of the registry of voters for the charter election for the year one thousand eight hundred and ninety-six, in any city which by the last preceding national census did not contain a population exceeding

forty thousand inhabitants, but that the making, altering or revising of the registry of voters for such election shall be held and conducted as at the last charter or municipal election held in such city.

2. This act shall take effect immediately.

Approved March 24, 1896.

CHAPTER 87.

An Act to amend an act entitled "An act to provide for the regulation and incorporation of insurance companies" (Revision), approved April ninth, one thousand eight hundred and seventy-five.

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

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

32. It shall be lawful for any insurance company existing by virtue of the laws of this state, created by special charter or otherwise, for the purpose of investing its capital, surplus and other funds or any part thereof, to purchase and hold as collateral security or otherwise, and to sell and convey any bonds or public stock issued or created by the United States, or by this state, or by any of the other states of the United States, or the District of Columbia, or any or either of them, or by any of the incorporated cities, counties, townships or other municipal corporations thereof, or to invest said capital, surplus and other funds, or any part thereof, in bonds or notes secured by mortgages or trust deeds on unencumbered real estate located within said states, or the District of Columbia, or either of them, worth at least double the sum invested or loaned, or to lend on or purchase mortgage bonds of railroad companies organized under the laws of said states, or the District of Columbia, or either of them, or operated therein,

Companies may purchase, hold, convey bonds, etc., and invest capital, surplus and other funds.

or the capital stock, bonds, securities or evidences of indebtedness created by any corporation or corporations created under the laws of the United States, or of this or any other state, except the stock of mining and manufacturing companies and stocks commonly known as "industrials"; *provided*, that no loan shall be made or retained on any of the above-mentioned securities, except the bonds or stock issued or created by the United States or this state, exceeding ninety per centum of the market value thereof; *and provided, further*, that no purchase shall be made of stock of any company which has not regularly paid dividends for the five years preceding the time of such purchase, and that no loan shall be made by any company on its own stock; and any life insurance company existing and created as aforesaid may, in addition to the foregoing, purchase for its own benefit any policy of insurance or other obligation of the company and any claims of policy holders, and may lend to the holders of policies of the company a sum not exceeding the surrender value of the policies at the time the loan is made, for the payment of which loan the policies and all profits thereon shall be pledged; and any company organized for the purpose of marine insurance may, in addition to the foregoing, lend their funds on bottomry and respondentia and change and re-invest the same as occasion may from time to time require.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 24, 1896.

CHAPTER 88.

An Act explanatory of an act entitled "An act to fix the minimum amount of salary of the prosecutor of the pleas in the counties of the second class in this state."

Preamble.

WHEREAS, doubts have arisen as to the proper meaning and true construction of the act of which this is explanatory, in fixing the salary of the prosecutor of the pleas

in certain counties of the second class in this state;
therefore,

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

1. Nothing contained in the act entitled "An act to fix the minimum amount of salary of the prosecutor of the pleas in the counties of the second class in this state," approved February twenty-ninth, one thousand eight hundred and eighty-eight, shall in anywise be construed or held to apply to any county of the second class in this state, in which the amount of the salary of the prosecutor of the pleas therein shall not have been fixed or determined by the board of chosen freeholders of the said county; nor shall anything contained in the said act be held or construed to reduce or in any way affect the salary or other compensation of the prosecutor of the pleas in any such county.

Act not to be held or to apply to certain counties.

2. This act shall take effect immediately.

Approved March 24, 1896.

JOINT RESOLUTION.

Number 1.

WHEREAS, The commission appointed by the governor under the provision of Joint Resolution No. 2, approved March fourteenth, one thousand eight hundred and ninety-five, has reported to the governor, under date of December first, one thousand eight hundred and ninety-five, that owing to the shortness of time allowed them, and to the want of the necessary means wherewith to defray the incidental expenses of the commission, they were unable to complete the work for which they were appointed; therefore,

Preamble.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the governor be, and is hereby authorized to re-appoint, with the advice and consent of the senate, the said commission, for the purpose of carrying out the objects of Joint Resolution

Governor authorized to re-appoint commission.

No. 2, approved March fourteenth, one thousand eight hundred and ninety-five.

Commission to
make report.

2. That the said commission shall report the result of their labors to the legislature, no later than in the session of the year one thousand eight hundred and ninety-seven, and that the members of the said commission serve without compensation.

Approved March 25, 1896.

CHAPTER 89.

AN Act to amend an act entitled "An act authorizing the division of townships into street lighting districts, and the erection and maintenance of street lights therein, and the election of street light commissioners in said district," approved May twenty-fifth, one thousand eight hundred and ninety-four.

Section to be
amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section one of an act entitled "An act authorizing the division of townships into street lighting districts, and the erection and maintenance of street lights therein, and the election of street lighting commissioners in said district," approved May twenty-fifth, anno domini one thousand eight hundred and ninety-four, be and the same is hereby amended to read as follows :

Committee may
set off and
divide township
into districts.

1. The township committee of any township in any county in this state may at any time set off and divide the said township into districts, to be designated by numbers, and may alter the same from time to time, and shall by resolution, to be entered at length upon their minutes, define and declare the limits, boundaries and numbers of said districts, and the same being so defined and declared, shall be deemed and taken as street lighting districts, and shall be known as and designated by and under the corporate name of "street lighting district number —," which said district,

when so designated, shall be a body corporate, and shall possess and be deemed to have power to sue and be sued, complain and defend in any court of law or equity, to make and use a common seal, and all other corporate power necessary for the carrying out the powers hereinafter conferred.

2. This act shall take effect immediately.

Passed March 25, 1896.

CHAPTER 90.

An Act in relation to certain public sales of land heretofore made and confirmed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That wherever any sale of lands made by any administrator or other officer at public vendue during the year one thousand eight hundred and ninety-three has been in due course confirmed by the court under whose direction such sale was made, it shall not in itself and without other proof of fraud be sufficient to invalidate such sale, that the purchaser bought the said land at such sale for the said officer making such sale, and under an agreement to subsequently convey the same to said officer, provided said officer at the time of such sale had an interest in said lands which was divested thereby.

Sales of lands
not invalidated.

2. This act shall take effect immediately.

Passed March 25, 1896.

CHAPTER 91.

A Supplement to an act entitled "An act concerning boroughs," approved March twenty-eighth, one thousand eight hundred and ninety-two.

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

Powers of
boroughs.

1. The purposes enumerated in the second section of the act to which this is a supplement, to wit, street or other improvement, protection of property from encroachment of the sea, lighting, water, drainage, protection of property from fire, laying out, opening, widening, vacating, altering, grading or extending streets, avenues, roads, sidewalks and crossings, regulating, paving, graveling, curbing, cleaning and keeping in repair of the same be and the same are hereby declared to be within the powers of the boroughs of this state; and such boroughs are hereby authorized to do and perform all the acts necessary to effect any and all the said purposes, and any bonds which may have been heretofore issued or appropriated for any of the purposes aforesaid by any borough or boroughs within this state are hereby made and declared to be valid and obligatory upon said boroughs as though the purposes for which the same were issued had been and were included within the heretofore-granted powers of such borough or boroughs.

Bonds issued
declared valid.

Publication of
resolution not
necessary.

2. It shall not be necessary to make any publication of any resolution passed by the council, in accordance with the fourth section of the act to which this is a supplement, fixing the amount of bonds necessary to be issued, and any bonds which may have been or shall be issued or appropriated by any borough or boroughs in pursuance of proceedings taken upon any such resolution or resolutions as provided for by said section four, without the publication of such resolution or resolutions, are hereby made and declared to be valid and obligatory upon said boroughs, as though such resolution or resolu-

Bonds issued
validated.

tions had been published in the manner provided for by the acts of the legislature pertaining thereto.

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. Repealer.

Passed March 25, 1896.

CHAPTER 92.

An Act providing for the appointment of a superintendent of streets in towns of this state having a population of more than fifteen thousand (15,000) inhabitants.

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

1. The council or governing body of any town in this state having or which may have a population of more than fifteen thousand inhabitants is hereby vested with full power and authority to appoint annually a suitable person resident of the town to be "superintendent of streets," who shall hold office for the period of one year, and who shall perform such duties with respect to the public parks, streets, roads, highways, sewers and drains of the town as the council or governing body thereof may by resolution or ordinance prescribe and require. Appointment of
superintendent
of streets.

Term.

2. The compensation to be paid to the person so appointed "superintendent of streets" shall be fixed by the council or governing body of the town, and shall not exceed the sum of one thousand dollars per annum, and may be made payable in half-monthly installments. Compensation.

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

Approved March 25, 1896.

CHAPTER 93.

An Act to authorize legal voters of towns to direct a tax for the construction of hard roads.

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

Legal voters at town elections may designate amount to be raised by tax for construction of hard roads.

1. The legal voters of any town incorporated under the laws of this state, voting at an annual town election, may then designate on their ballots a sum to be appropriated and fixed as the amount of money to be raised by tax the ensuing year for the purpose of the construction of hard roads in the town, and the designation of such sum shall be under the title of "For hard road construction," which may be printed or written on the ballots.

Result of vote to be certified.

2. The result of such vote shall be certified by the election officers in the same manner and at the same time as the result of the election of the members of the council of such towns, and if it shall appear by the said certificate that a majority of such voters have designated a sum for such purpose, the same shall be inserted in the next tax levy for such town, and assessed and collected in the same manner and at the same time as the general taxes of such town.

Power to levy and tax for construction of roads.

3. This power of levy and tax for the purpose of the construction of such roads shall be in addition to any rights or powers which any such town or its inhabitants may now have to provide for the construction of the same by any other method.

Money appropriated; by whom expended.

4. The money appropriated and raised as provided for in this act shall be expended upon such streets, and in such manner as the council or other governing body of such town shall, by ordinance, designate and prescribe.

5. This act shall take effect immediately.

Approved March 25, 1896.

CHAPTER 94.

An Act respecting boards of commissioners for the assessment of damages and benefits for local improvements in cities of the first class in this state, increasing their powers and providing for their compensation.

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

1. The boards of commissioners for the assessment of damages and benefits for local improvements in cities of the first class in this state shall have power to issue subpcenas, to be signed by at least two commissioners, members of said board, and thereby compel the attendance of witnesses before them to give evidence in any proceeding or matter pending before or to be heard by said boards, and each member of the said boards of commissioners is hereby authorized to administer oaths or affirmations in any proceeding or matter as aforesaid, and any wilful or corrupt swearing by any person before said boards shall be perjury, and punishable in the same manner as now prescribed by law; said subpcenas may be served at any place in this state by any member of said boards of commissioners or by the clerk thereof, or by any police officer of the city for which said commissioners may have been appointed.

Commissioners empowered to issue subpcenas and administer oaths.

Subpcenas; how served.

2. The said commissioners shall each receive as compensation such sum per annum as shall be determined by the finance committee or board of finance of the city for which said commissioners have been appointed respectively, which compensation for each commissioner shall not be less than one thousand nor more than one thousand five hundred dollars per annum, said moneys to be paid monthly and charged as heretofore required and provided by law.

Compensation of commissioners.

3. This act shall take effect immediately.

Approved March 25, 1896.

CHAPTER 95.

A Further Supplement to an act entitled "A bill providing for the founding of a state institution for the instruction and maintenance of indigent deaf-mutes, to be known as the state institution for the deaf and dumb, approved March thirty-first, one thousand eight hundred and eighty-two.

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

Comptroller to
be treasurer.

1. The comptroller of this state shall be the treasurer of the New Jersey schools for deaf-mutes.

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 25, 1896.

CHAPTER 96.

An Act to provide a further supplement to Stewart's digest of the law and chancery reports of the State of New Jersey.

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

When digest of
law and chan-
cery reports be
published
copies to be
delivered to state
treasurer.

1. If Frederick D. Linn, of Jersey City, New Jersey, shall cause to be prepared and published a digest of the cases in the law and chancery reports of this state published since eighteen hundred and eighty-six, on a plan similar to the supplement to Stewart's digest, published by the late John H. Stewart in the year eighteen hundred and eighty-seven, said digest to be approved by the chancellor and a justice of the supreme

court, and to contain, including the tables of cases and index, not less than seven hundred pages, the state treasurer, upon five hundred copies thereof being delivered to him, well bound in good law sheep, shall pay him therefor seven dollars and a half for each copy; and said copies shall be distributed in the same manner as the law and chancery reports are now required to be distributed.

Copies; how distributed.

2. This act shall be a public act and shall take effect immediately.

Approved March 25, 1896.

CHAPTER 97.

An Act for the abolition of railroad grade crossings in cities of the first class.

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

1. Whenever in any city of the first class the council or other governing board, which has the power to permit railroads to cross the streets at the grade thereof, shall by resolution, approved by the mayor, declare that any existing railroad crossings of any street or streets in said city have become unsafe and inadequate for the accommodation of the public, the city may by petition apply to the supreme court for an order compelling the abolition of such crossings; a copy of said petition, with a notice of the time when it will be presented, shall be served, either within or without the state, upon the railroad company or companies on whose railroad or railroads said crossings exist, and on any railroad company, the grade or location of whose railroad shall be affected by the proposed changes, at least ten days before the presentation of the petition; said court shall proceed to hear said petition and the proofs and allegations on behalf of the city and the company or companies in such manner as the court shall direct, and if it shall appear to the court that the said

Proceedings for the abolition of railroad grade crossings.

crossings, or some of them, ought, for the safety or adequate accommodation of the public, to be abolished, changed or altered, and that it is feasible without unreasonable cost to make such changes and that such changes are practicable, the court shall make an order appointing three discreet persons, at least one of whom shall be a resident of said city, to be commissioners to examine into the matter and report which, if any, of said crossings ought to be abolished, re-located or otherwise changed, and how such changes should be made, and what changes of grade of streets, if any, should be made, and what clearance each street should have, what streets or parts of streets, if any, should be opened, closed, narrowed, widened, altered or re-located, and what change of grade or location, if any, of the railroads or other railroads affected by reason of crossing or intersecting the same should be made, and within what time such work should be commenced and completed, and what would probably be the cost or expense thereof to the city and to the company or companies under the apportionment hereinafter provided for.

Supreme court
to appoint com-
missioners

Commissioners
to give notice.

Adopt plans and
report.

Report, etc., to
be filed.

2. The commissioners shall forthwith give notice to the city and the company or companies to appear before them, and shall afford opportunity for the presentation of plans and statements as to the method to be adopted for the abolition of grade crossings and the other changes and alterations required; and after hearing the representatives of the city and the company or companies interested, they shall adopt plans, and report the same to the court; and they may accompany their report with maps and profiles; the report shall contain the recommendation of the commissioners as to each crossing, including all the matters required by the first section of this act to be referred to them; they may adopt the plans, maps and profiles prepared by the city or by the company or companies or any modification thereof; said report, plans, maps and profiles shall be filed in the office of the clerk of the supreme court within sixty days from the date of the appointment of commissioners, or within such time as the court may fix, and the court shall thereupon fix a day for hearing all persons interested in said report, of which the petitioner shall forthwith give notice by advertising the same

for ten days in at least one newspaper of said city and by serving the same upon the other party or parties at least ten days before the hearing.

3. Upon the day so fixed the court shall hear the representatives of the city and the company or companies and of all parties interested, and adopt, alter, modify or reject the plan presented or any part thereof, and make such order in respect to the matter presented by such petition as shall appear just, reasonable and proper, and if the court shall require any work to be done they shall enter an order directing the city and the company or companies to carry out and perform the same within the time and in the manner and under the regulations provided therein; said order when entered shall have the force and effect of a judgment of the court; and it shall be the duty of the city and the company or companies to proceed and comply with and in all respects carry out and perform the plan so adopted; and either the city or the company or companies may by mandamus issuing out of the supreme court or by other appropriate process, be compelled to perform and carry out the said order, and to do and perform all things therein required of them respectively; and every city and railroad company coming within the provisions of this act shall have power and authority to proceed to make and carry out the changes and works required by such judgment; and any damages required to be paid by such city by reason of such changes shall after the completion of the work be ascertained and paid by the city in the manner prescribed by the charter of such city; and the city and the railroad company shall respectively have power to acquire by condemnation or otherwise in the manner prescribed in their respective charters all such additional lands as may be necessary to carry out the plan adopted by the court; no changes of grade shall be adopted which will seriously impair the economical operation and carrying capacity of the railroad.

Court to hear parties interested, and adopt, alter or modify plans, and issue order to carry out the work.

4. Any city required by such order to do any works or to answer any damages provided for in such report and order, may provide the cost thereof by the levy of a general tax for one or more years or by the issue and sale of bonds of the city to run not exceeding twenty

Cities authorized to issue bonds or provide the cost by levy of a general tax.

years, at a rate of interest not exceeding five per centum, such bonds otherwise to be of such form and terms and conditions as the city may adopt, and the city shall have power, by annual taxation or otherwise, to provide a sinking fund for the retirement of said bonds.

When court shall order doing of work or changes; the cost, how apportioned.

5. When the court shall order the doing of any work or the making of changes under this act, the cost thereof shall be apportioned as follows: The city shall make all necessary changes of gas pipes, water pipes, sewers and conduits; the city shall also be charged with the cost of the change of grades of streets and the restoration and repaving of the surface of such streets and the re-location of streets and the laying out and opening of new streets so far as such changed or newly-opened streets lie outside of the lines of the right of way of the railroad company or companies, but the actual work upon such streets may be done either by the city or by the railroad company, as the court may direct; and the city shall be charged with the lawful claims for compensation and damages, if any, to property other than the property of the railroad company or companies, by reason of the changes of grades and locations of streets and the laying out of new streets and the acquiring of property therefor, outside of the property of the railroad company; and all work and all cost and expense not so charged upon the city shall be borne by the railroad company or companies owning or operating such railroad or railroads, in such proportions as the court may fix, and where two or more companies are interested in the same railroad as owners, lessees or otherwise, they shall be jointly and severally liable to do the work and bear the expense so determined upon, subject, however, as between themselves, to contribution according to their respective contract rights and relations; the compensation and expense of said commissioners shall be fixed and allowed by the court and be apportioned between the city and the company or companies in such manner as the court shall deem proper.

Proceedings for abolition or alteration of grade crossings may be instituted by petition.

6. Proceedings for the abolition or alteration of grade crossings under this act may be instituted by petition by any railroad company interested, on notice to the city and to any other railroad company interested, with

the same force and effect as if the same had been instituted by the city in the manner provided in the first section of this act.

7. Nothing in this act contained shall prevent or in anywise affect the making of contracts as provided by the act entitled "An act to authorize any city of this state to enter into contracts with railroad companies whose roads enter their corporate limits, whereby said companies may re-locate, change or elevate their railroads, and, when necessary for that purpose, to vacate, change the grade of or alter the lines of any streets or highways therein," approved March nineteenth, one thousand eight hundred and seventy-four, and the supplements thereto.

Provisions of this act not to affect making of contracts under a certain act.

8. This act shall take effect immediately.

Approved March 25, 1896.

CHAPTER 98.

An Act to amend an act entitled "An act to provide for the division of incorporated towns, townships and boroughs into wards and to regulate representation therein," passed February fifteenth, one thousand eight hundred and eighty-six.

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 so as to read as follows :

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

1. In cases wherein any incorporated town, township or borough not already divided into municipal subdivisions, electing their own representatives to the municipal governing body, there have been polled at the last presidential or other subsequent election, or whenever

Certain municipalities may be divided into wards.

in any such municipality there shall hereafter be polled at any future election more than nine hundred legal votes, it shall be the duty of the township committee or other governing body of said municipality, at least fifteen days before any annual municipal election succeeding the approval of this act, in case such votes have been heretofore polled, and in other cases at least fifteen days before any annual municipal election succeeding such future election at which such votes may be hereafter polled, by resolution passed by a majority of their number at a special meeting held for that purpose, of which meeting notice in writing, signed by the clerk of said municipality, shall be set up at five of the most public places therein for at least five days prior to said meeting, to divide said incorporated town, township or borough into not more than three wards, having regard in making said division to equality of representation and to the lines of any existing polling districts, and to designate such wards by names or numbers; *provided, however*, that no division into wards, as aforesaid, shall be made unless the question of making such division shall have been previously submitted to the legal voters of such incorporated town, township or borough at the annual municipal election, or at an election to be held for that purpose, to be ordered by the township committee or other governing body of said municipality, of which election notice in writing, signed by the clerk of said municipality, shall be set up at five of the most public places therein, for at least five days prior to said election, nor unless a majority of the legal votes cast at such election shall be in favor of making the division into wards in the manner in this section provided.

Proviso.

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

3. In cases wherein any incorporated town, township or borough already divided into wards or municipal subdivision, electing their own representatives to the municipal governing body, by whatever name said subdivisions may be called in the act or acts creating the same, there have been polled in any such ward or

Certain municipalities may be divided into wards.

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

3. This act shall take effect immediately.

Approved March 25, 1896.

CHAPTER 99.

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

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

Bonds heretofore
issued declared
legal and valid.

1. In all cases where bonds have been heretofore issued by the board of education or the trustees of any school district pursuant to the consent of a majority of the legal voters present at either an annual meeting or a special meeting called for that purpose, or where bonds have been voted as aforesaid, but not yet actually issued or delivered, the proceeds of the sale of said bonds having been applied, or to be applied, in whole or in part, to the building and furnishing of a school house, and the only ground of the invalidity of the said bonds or proposed bonds is that they were issued, or are intended to be issued, in part for the furnishing of such school house, such bonds so issued or intended to be issued, and the proceedings relating to the issuance and sale thereof are hereby declared to be legal.

2. This act shall take effect immediately.

Approved March 25, 1896.

CHAPTER 100.

An Act giving the state commissioner of public roads a fixed salary instead of per diem pay, and limiting the expenses connected with the office.

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

1. The annual salary of the state commissioner of public roads shall be fifteen hundred dollars, and he shall be allowed the further sum of one thousand dollars per year, or so much thereof as shall be necessary, for clerk hire, attorney and consulting engineer, fees, stationery and actual traveling expenses.

Salary and allowance for clerk hire, etc.

2. All acts and parts of acts inconsistent with this act be repealed, and this act shall take effect immediately.
Approved March 25, 1896.

CHAPTER 101.

An Act to amend an act entitled "An act respecting hospitals for the insane and the admission of indigent patients thereto," approved March twenty-second, one thousand eight hundred and ninety-five.

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

1. The first section of the above-mentioned act be and the same is hereby amended so as to read as follows:

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

1. When an insane person in indigent circumstances, not a pauper, is found in any county, application may be made in his behalf to any judge of the court of com-

Judge of common pleas may investigate and determine case, and certify same.

mon pleas in such county or to any judge of a criminal court established in a city of the first class in such county; and the said judge shall thereupon call two reputable physicians and other credible witnesses, and fully investigate the facts in the case, and either with or without the verdict of a jury, at his discretion, shall decide the case as to insanity and indigency; he shall also decide the question of legal settlement, and if the said judge is satisfied with the proof, he shall make a certificate that satisfactory proof has been adduced showing such person to be insane and his estate insufficient to support him and his family, or if he has no family, himself, under the visitation of insanity, and shall certify also to the place of legal settlement of such insane person, if any within this state, and on said certificate, or a copy thereof, duly authenticated by the county clerk under the seal of the court, such person shall be admitted into the county hospital for the insane (if there be one), if he has a legal settlement in said county, and supported there at the expense of the said county until he shall be restored to soundness of mind, if effected in three years; if such patient has no legal settlement in said county he shall, by order of the said judge, be committed to one of the state hospitals for the insane, there to be supported at the expense of the county within which such patient has a legal settlement, if any, or at the expense of the state in case said patient has no legal settlement in this state; the said judge shall have power to compel the attendance of witnesses and jurors and others; he shall file the certificate of physicians taken under oath and the testimony relative to legal settlement and indigence, and the other papers relating to the matter, with a report of his proceedings and decision, with the clerk of the county, and shall report the fact to the board of chosen freeholders of the county where such patient has his legal settlement; and if such patient has no legal settlement within any county, then to the treasurer of the state of New Jersey; and it shall be the duty of the board of chosen freeholders to whom such notice is sent, at their next annual meeting, to raise the money requisite to meet the expenses of support or to otherwise

County clerk to certify copy which shall admit to county hospital.

Proceedings in case of no legal settlement in county.

provide for the support of such patient in the asylum or hospital to which he is so sent.

2. The second section of said act is hereby amended to read as follows:

2. Hereafter it shall not be necessary for the certificate of the said judge, as provided for in the preceding section, to receive the approval of the chosen freeholders of the ward, township or other municipal division in which said patient or insane person resides, or has his legal settlement, or to give such freeholder notice of the application for the admission of any such insane person or patient, but one day's notice of the application to such judge shall be given either to the director of the board of chosen freeholders of the county in which such application is made, or to the county counsel of such county.

Approval of local chosen freeholders not necessary hereafter.

Approved March 26, 1896.

CHAPTER 102.

An Act to reduce the number of judges of the inferior courts of common pleas, courts of oyer and terminer and general jail delivery, orphans' courts, courts of general quarter sessions of the peace and special sessions in the several counties of this state, and to fix the salaries and provide for the appointment of the judges of said courts.

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

1. After the thirty-first day of March, one thousand eight hundred and ninety-six, there shall be no more than one judge of the inferior court of common pleas in each county, exclusive of the justice of the supreme court authorized to hold the circuit court therein, and said judge and justice may hold the court of oyer and terminer, and either said judge or justice, or both, may hold the inferior court of common pleas, orphans' court

Number of judges reduced.

Who to hold courts.

and court of general quarter sessions of the peace and special sessions in the county.

Law judges now in office to continue.

When terms of other judges to end.

Appointment of law judges.

Term of office.

Judges appointed vested with jurisdiction.

Annual salaries of judges.

2. The law or president judges now in office in the several counties shall continue in office for the terms for which they were respectively appointed; the terms of office of all other judges of said courts shall end on the thirty-first day of March, one thousand eight hundred and ninety-six, and they shall not thereafter sit in any of said courts; the governor, by and with the advice and consent of the senate, shall, before the first day of April, one thousand eight hundred and ninety-six, appoint a judge of said court in each of the counties in which there is no law or president judge, or in which the term of office of the law or president judge shall expire on or before the first day of April, one thousand eight hundred and ninety six, and thereafter shall in like manner appoint judges to succeed the judges whose terms shall expire and fill vacancies as they may occur; the judges so appointed shall hold office for the term of five years, beginning on the first day of April succeeding their appointment, except when appointed to fill a vacancy (other than a vacancy caused by the expiration of the term of any judge), in which case the judge so appointed shall hold office for the unexpired term only.

3. On and after the first day of April next the judge of the inferior court of common pleas in each county shall have and may exercise all the jurisdiction and powers heretofore vested in or exercised by any judge or the judges of said court, and shall perform all the duties heretofore imposed on or exercised by any such judge or judges.

4. The annual salary of the judges of said court in counties containing more than two hundred thousand inhabitants, according to the state or national census next preceding their appointment, shall be seven thousand dollars; in counties having between one hundred thousand and two hundred thousand inhabitants, five thousand dollars; in counties having between eighty thousand and one hundred thousand inhabitants, four thousand dollars; in counties having between seventy thousand and eighty thousand inhabitants, three thousand five hundred dollars; in counties having between

forty-five thousand and seventy thousand inhabitants, three thousand dollars; in counties having between thirty-five thousand and forty-five thousand inhabitants, two thousand dollars; in counties having between twenty thousand and thirty-five thousand inhabitants, one thousand eight hundred dollars; and in counties having less than twenty thousand inhabitants, one thousand two hundred dollars; such salaries shall be paid by the collector or treasurer of the respective counties in equal monthly payments, and shall be in lieu of all fees and other compensation whatsoever, and shall not be changed during the term for which any judge shall have been appointed; and all fees which now are by law paid to or divided among the judges or paid to any judge of courts of common pleas are hereby abolished and shall not hereafter be taxed or collected.

Salaries : by whom paid.

Fees abolished.

5. This act shall take effect immediately, and all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Repealer.

Approved March 26, 1896.

CHAPTER 103.

An Act to regulate fishing by steam and other vessels with shirred or purse seines in the waters of the state of New Jersey and to require a license for such fishing.

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

1. Hereafter it shall be unlawful for any person or persons, corporation or corporations, to take with purse or shirred nets any menhaden, porgies, herring or other fish in any waters within the jurisdiction of this state, including the waters of the Atlantic ocean within three nautical miles of the coast line of said state, either on his own account and benefit or on account and benefit of his employer, unless such person or persons, corporation or corporations, shall have first complied with the

Unlawful to fish with purse or shirred nets

provisions of this act regulating such fishing with purse or shirred nets and requiring a license therefor.

Application to be made to fish and game commissioners.

2. Whenever any person or persons, corporation or corporations, may intend to take menhaden with such purse or shirred nets in the waters above specified, such person or persons, corporation or corporations, shall make an application therefor to the board of fish and game commissioners of this state.

Board to issue license for one year.
Fee.

3. Upon the receipt of such application the board of fish and game commissioners shall, upon the payment to the said board of the sum of one hundred dollars for each steam vessel of not more than fifty tons net tonnage, one hundred and twenty-five dollars for each steam vessel of over fifty tons and not more than one hundred tons net tonnage, and two hundred dollars for each steam vessel of over one hundred tons net tonnage, said net tonnage to be determined by custom-house measurement, and twenty-five dollars for each sailing vessel with tenders, to be so employed in the taking of menhaden by means of such shirred or purse nets as a license fee, issue to such person or persons, corporation or corporations, a license, duly signed by the secretary of said board of fish and game commissioners, which said license shall be valid and in force for the term of one year from the date thereof, and no license shall be issued for a space of time less than one year.

Penalty for violation of first section of act.

4. For every violation of the first section of this act the offending person or persons, corporation or corporations, shall pay a penalty of two hundred dollars, to be recovered and applied in the manner hereinafter directed, and the said steam or other vessel used and employed in the commission of such offense, with all the fish, tackle, furniture and apparel, shall be forfeited, and the same seized, secured and disposed of in the manner hereinafter prescribed.

Actions; how commenced.

5. Any action under this act may be commenced by warrant in the court for the trial of small causes, and be proceeded in as in other cases when the same are commenced by warrant, any law, usage or custom to the contrary notwithstanding.

Duties of fish and game wardens to seize vessels, etc.

6. It shall be the duty of all fish and game wardens of the state, and may be lawful for any other person or persons, to seize and secure any such vessel, fish, tackle,

furniture and apparel, as aforesaid, and immediately thereupon give information thereof to two justices of the peace of the county in or nearest to where such vessel, fish, tackle, furniture and apparel shall be held and secured, who are hereby empowered and required to meet at such time and place as they shall appoint for the trial thereof, and hear and determine the same, having first given notice of the time and place so appointed, by notice in writing, over their hands, set up in at least three public places within the township where the said vessel is held, at least five days prior thereto, and also served at least five days previously upon the owner or master of said vessel, if he can be found within the county; and in case the same shall be condemned, such vessel, fish, tackle, and apparel shall be sold by the order and under the direction of the said justice, who, after deducting all legal costs and charges and paying the penalty provided for by this act, shall pay over the remainder of the proceeds of such sale to the owner or claimant of such vessel so seized as aforesaid; all money recovered as penalties for the violation of this act shall be paid to the board of fish and game commissioners for the defraying of the expenses of such board.

Justices of the peace empowered to hear and determine case.

Money recovered for violation; to whom paid.

7. If any person or persons on such vessels aforesaid shall refuse and not suffer to enter the same, or resist, before or after entering, any of said officers, or other person or persons seizing the same, or otherwise resist them, or any of them, in the lawful seizing of the same, then every person so offending shall forfeit and pay the sum of fifty dollars, to be recovered and applied in the manner hereinbefore directed.

Penalty for refusing officers to enter or seize vessels.

8. The sale and disposition of the property seized and condemned, as provided for in this act, shall be conducted in the same manner and upon the same notice as prescribed for the sale of personal property seized under execution issued under the act of the legislature of this state, entitled "An act constituting courts for the trial of small causes," and all fish and property of a perishable nature found in and upon said vessels shall be sold under the order of said two justices, by giving one day's notice of the time and place of such sale, by setting up advertisements thereof in three public places in the

Sale and disposition of property seized and condemned; how conducted.

township where such property shall be held, and the proceeds thereof applied in the same manner as hereinbefore provided.

Owners or claimants of vessels, etc., seized desire to retain possession of same may have same appraised.

9. If any owner or claimant of said vessel or vessels and property seized, as hereinbefore provided for, shall desire to retain possession of the said property so seized the owner or claimant of such property shall notify the said officer or officers before whom the case is being prosecuted, in writing, and request that the property so seized shall be appraised; and the said officers shall be and they are hereby required to prepare a true statement of all property coming into their hands under the provisions of this act; and upon such request of said owner or claimant three disinterested men shall be appointed, one by the officers, one by the claimant and one by the joint action of the two appraisers, who shall appraise said vessel and property, the same to be surrendered to said claimant on his giving bonds for the amount of such appraisement, with good and sufficient security for the same, and the payment of all fines, costs and expenses connected with such seizure and prosecution, otherwise the said vessel or vessels and apparatus shall be held as security until all of said expenses incurred are fully paid; and in case of failure on the part of said claimant to comply with the provisions of this section said property shall be sold, as provided for in section four of this act.

Proceedings for appraisement.

Amount of fees, costs and charges.

10. The fees and costs and charges under this act shall be as follows: To the two justices, for all services thereunder, five dollars each; to the person making the seizure or watchman placed in charge of said vessel, two dollars for each day and two dollars for each night that services shall be actually rendered; to the person putting up the advertisements or notices or serving the same, fifty cents for each notice posted or served; for all other services, the same fees that are paid in justices' courts for similar services.

Repealer.

11. An act entitled "An act to prohibit fishing by steam and other vessels with shirred or purse seines in any of the waters within the jurisdiction of the state of New Jersey," approved April eighth, one thousand eight hundred and eighty-four, and all other

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

12. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 104.

Supplement to an act entitled "An act to authorize the formation of traction companies for the construction and operation of street railways or railroads operated as street railways, and to regulate the same," approved March fourteenth, one thousand eight hundred and ninety-three.

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

1. Section twelve of the act entitled "An act to authorize the formation of traction companies for the construction and operation of street railways or railroads operated as street railways, and to regulate the same," approved March fourteenth, one thousand eight hundred and ninety-three, shall be and the same is hereby amended so as to read as follows :

Section to be amended.

12. The treasurer of New Jersey shall hold the said sum of twenty-five thousand dollars with which any corporation organized under this act shall commence business, and so paid to the treasurer as hereinbefore provided, subject to be repaid to the directors or treasurer of said company when it shall be proven to his satisfaction that the said company has expended an amount equal to it in excess of twenty-five thousand dollars in the accomplishment of the aims and purposes named in the certificate of incorporation of such company; and in case such company shall not acquire a right to construct a street railroad within one year after the time of depositing said sum of twenty-five thousand dollars as aforesaid, the said treasurer shall, upon being satisfied of that fact, refund the said sum of money to

State treasurer to refund money.

the directors or treasurer of the company, and thereupon all rights of such company to priority of application for location of tracks, if any, shall cease and determine.

2. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 105.

An Act to amend an act entitled "An act to permit and allow firms and individuals, not less than twenty in number under each organization, to insure others against loss or damage by fire and lightning, and to underwrite policies of insurance issued therefor under the Lloyds form," approved March twenty-fifth, one thousand eight hundred and ninety-five; and to prohibit the transaction of the business of insurance in this state by individuals except as provided in said act.

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

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

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

Qualifications
for membership.

1. It shall and may be lawful for any number of individuals or firms to associate themselves together under what are known as Lloyds associations, to be composed of not less than twenty members each, possessing each in his individual right in value not less than twenty thousand dollars of personal property and real estate, situate within this state, above all incumbrances, for the purpose of underwriting and contracting and issuing policies of insurance, insuring property against direct loss or damage by fire or lightning upon what is known

as the Lloyds plan, and to adopt names for each of said associations and such rules and regulations for the governance of the same as may be necessary for the carrying out of the purposes of the said Lloyds associations.

2. It shall not be lawful for associations of individuals formed upon the plan known as Lloyds—whereby each associate underwriter becomes liable for a proportionate part of the whole amount insured by a policy—to transact the business of insurance in this state unless authorized under the provisions of the act hereby amended or as hereby amended, or for any person or firm to solicit or negotiate any contract of insurance in this state for or on behalf of any such Lloyds association not authorized as aforesaid, or receive any premium, fee or other payment thereon.

Unlawful to transact business unless authorized under act.

3. The penalty for each and every violation of this act shall be five hundred dollars and all costs of suit, to be sued for and collected on complaint and in the name of the state by the commissioner of banking and insurance; the first process against any person complained of may be a *capias ad respondendum*, and the person or persons against whom any judgment shall be obtained shall be committed to the county jail until such penalty and costs are paid; one-half of such penalty, when recovered, shall be paid by the commissioner of banking and insurance to the local firemen's relief association in the city, town or township wherein the violation was committed, if there be such an association therein, and if not, then to be paid in equal shares to the several firemen's relief associations in the county wherein the violation occurred, and if none exist in the county then to be paid to the state commissioner to be distributed by him pro rata to each of the firemen's relief associations in the state, as other funds are now distributed by him, and the other half to the said commissioner for the use of the state; and the necessary expenses for enforcing the provisions of this act, when not otherwise provided for, shall be paid by the commissioner of banking and insurance out of the fines so collected and the fees and taxes paid by insurance com-

Penalty for violations of act.

panies of other states and nations authorized to transact business in this state.

Repealer

4. 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 26, 1896.

CHAPTER 106.

An Act to amend an act entitled "An act to more fully carry out and put in force the true intent and purposes of the supplement to an act of congress of August thirtieth, one thousand eight hundred and ninety, and the acts of the legislature of New Jersey of March twenty-fourth, one thousand eight hundred and eighty-one, and the manual training act of one thousand eight hundred and eighty-eight," passed May twenty-fifth, one thousand eight hundred and ninety-four.

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

Board of trustees; how appointed.

1. In lieu of the trustees of the manual training and industrial school at Bordentown, New Jersey, designated in the act to which this is an amendment, the trustees of said school shall consist of the state superintendent of public instruction and the county superintendent of schools of Burlington county, ex-officio, and six persons to be appointed by the governor, who shall respectively hold their office as trustees for a period of three years, and until their successors, respectively, are appointed; the board of trustees herein provided for shall have and possess all the power and responsibilities heretofore conferred upon and held by the trustees of said school by the act to which this is an amendment.

2. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 107.

An Act respecting sewers and sewer connections in cities of this state.

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

1. In all cities of this state where sewers are now being built or hereafter may be built, the board of street and water commissioners, common council, board of aldermen or other municipal body charged by law with the construction of sewers in such cities shall have power and authority, at their discretion, at the time of building such sewers, to build and construct house connections of such number, character and location as shall be determined by them, such house connections to extend from the sewer so constructed to the curb line of the lots fronting on the street or streets through which such sewer or sewers shall be built.

Boards authorized to construct house connections to connect with sewers.

2. It shall not be necessary for the board or body constructing such sewers in any notice or ordinance relating thereto to specify the number, character or location of house connections to be so made, but said house connections shall be shown on a map to be prepared by said body or board before the introduction of the ordinance or final resolution for the construction of such sewer and house connections; *provided*, that in all cases where house connections are to be constructed at the time of the construction of any sewer the public notices and ordinances required to be published shall contain a statement that said sewer is to be constructed with house connections.

House connections to be shown on map, etc.

Proviso.

3. The cost and expense of making such house connections shall be included in and considered as part of the expense of the building of such sewer or sewers, and the cost of building said sewer and house connections shall be assessed upon the property particularly benefited thereby to the amount and in the manner now required by law.

Cost and expenses to be included, and how assessed.

Board authorized by resolution to cause house connections to be constructed.

4. The board of street and water commissioners, common council, board of aldermen or other municipal body charged with the construction of sewers in cities of this state shall have power and authority by resolution and without notice to cause house connections of the number, character and location, to be by them determined, to be constructed connecting sewers heretofore built or constructed in any street or avenue in such city with the curb line of such street or avenue.

Not necessary to specify number, etc., but shall be shown on map.

5. It shall not be necessary for the board or body constructing such house connections in any resolution relating thereto to specify the number, character or location of the house connections to be so made, but said house connections shall be shown on a map to be prepared by said board or body before such house connections shall be by resolution or other proceeding ordered to be constructed.

Cost and expense to be estimated and charged against property.

6. The cost and expense of making such house connections shall be estimated by the city surveyor and charged against the property connected thereby with the sewer, and shall be added to the amount of the tapping fee to be paid when any house or other building heretofore or hereafter erected upon such property is or shall be thereby connected with said sewer.

Construction of words "house connections."

7. The words "house connections" in this act shall be construed to include connections to be made or pipes to be laid between the line of any sewer and the curb line of any street or avenue in which such sewer is laid, whether or not there shall be any house or building upon the property or lot in front of which such connection is or shall be laid for the benefit of said property or lot.

8. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 108.

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

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*: Section two of an act entitled "An act constituting district courts in certain cities of this state," approved March ninth, one thousand eight hundred and seventy-seven, be and the same is hereby amended so as to read as follows:

Section to be amended.

2. One district court shall be established, in accordance with this act, in every city of this state of over twenty thousand inhabitants; but cities of one hundred thousand inhabitants or over shall be entitled to two district courts; *provided, always*, that no more than two district courts shall at any time be established in any city of this state; and one district court shall be established in every city of this state having twenty thousand inhabitants or less, which shall by ordinance adopt this act within one year from the date of the passage hereof.

District court established.

Proviso.

2. The judge of each of said courts in cities of twenty thousand inhabitants, or less, shall receive an annual salary not exceeding fifteen hundred dollars, and the clerk an annual salary not exceeding six hundred dollars, which said salaries shall be fixed by the governing body of the city, and be computed from the date of the appointment of said judge and clerk respectively, and be paid by the governing body of the city out of the treasury thereof.

Salaries of judges.

3. Upon the passage of the said ordinance a certified copy thereof shall be filed in the office of the secretary of state.

Copy of ordinance to be filed.

4. This act shall take effect immediately.
Approved March 26, 1896.

CHAPTER 109.

An Act to enable incorporated towns to purchase lands and erect school buildings thereon, or to construct, alter, enlarge or rebuild school-houses and to issue bonds for such purposes.

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

Towns may borrow money to purchase lands and erect school-houses.

1. Whenever in any incorporated town in this state more or better school accommodations shall be needed it shall be lawful for the common council or other governing body of such town to borrow money to an amount not exceeding the sum of fifty thousand dollars, for the purpose of purchasing lands and erecting school-houses thereon, or adding to, enlarging or rebuilding such school-houses as may now be too small or unsuitable for school purposes, or for the erection of new school buildings on lands already owned by such town or the board of education thereof.

May issue bonds.

2. The said common council or other governing body of such incorporated town, to secure the payment of the sum or sums so borrowed, may issue bonds in the corporate name of such town, to be denominated "school bonds of the town of _____," not to exceed in the aggregate the sum of fifty thousand dollars, payable in not more than thirty years, bearing interest not to exceed the rate of four per centum per annum, pledging the faith and credit of such town for the payment thereof, which bonds shall be sold to the highest bidder at not less than par value; *provided, however*, that the purchase of lands for such purposes and the erection of school-houses with the money so borrowed shall be under the direction and control of the board of education of such town.

Amount.

Proviso.

Payment of principal and interest of bonds; how provided.

3. The common council or other governing body of said town shall provide for the payment of the principal and interest of said public school bonds in the manner

and under the regulations prescribed for the raising of public revenues in such incorporated town.

4. If the charter of any such incorporated town in this state shall limit the amount of indebtedness that may be incurred, or by its terms prevent the carrying-out of the provisions of this act, the same shall not hereafter be held to apply to the raising of money under the provisions of this act, any other law to the contrary notwithstanding.

When provisions of act shall not hereafter be held to apply

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

Repealer.

Approved March 26, 1896.

CHAPTER 110.

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

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

1. The common council or other board having charge and control of the finances of any city in this state may, by the same vote required to expend moneys, fix and change, by resolution, the rate of interest on all past due taxes and assessments of all kinds which are due prior to January first, one thousand eight hundred and ninety-five, at and after a rate of not less than seven per centum per annum; *provided*, however, that such rate shall apply only to such taxes and assessments as are still due and unpaid to said city; and shall not apply to any taxes or assessments that have been or may be adjusted under the act of the legislature 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 further taxation and

Rate of interest on past due taxes and assessments.

Proviso.

assessment," passed March thirtieth, one thousand eight hundred and eighty-six.

Repealer.

2. That all acts or parts of acts, so far as may conflict herewith, be and the same are hereby repealed and that this act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 111.

An Act relating to the district courts of this state.

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

Judge may
appoint sergeant-
at-arms.

1. The judge of any district court of this state may appoint some suitable person to attend the sittings of said court, preserve order therein and perform such other duties as said judge may prescribe; the person so appointed shall be designated as sergeant-at-arms of said court, and shall receive for his services as sergeant-at-arms the sum of one dollar for each day's actual attendance on the sittings of said court, which shall be paid in the same manner as the salary of the judge of said court is paid; any person, not a constable, when so appointed, shall, during his continuance in office, be invested with and possess all the rights, privileges, powers and duties appertaining to the office of constable, and all papers, warrants and process, either civil or criminal, issued out of any district court of this state shall be as binding and effectual and have the same legal effect when served or executed by said sergeant-at-arms as if served or executed by a constable.

His duties and
powers.

To hold office
during pleasure
of judge.

To receive other
fees and
compensation.

2. The person so appointed sergeant-at-arms shall hold office during the pleasure of the judge appointing him, and shall be entitled to receive, for services performed other than attendance on the sittings of said court and preserving order therein, the same fees and compensation as is now or may hereafter be allowed

constables for like service; *provided*, that no sergeant-at-arms appointed under the act shall receive more than the sum of one dollar for each day's actual attendance on the sittings of said court. Proviso.

3. Every person so appointed shall, before entering upon the discharge of his duties, file in the office of the county clerk of the county in which the district court to which he is attached is located, a bond with like conditions, surety and penal sum as is required by law to be filled by constables, which bond shall, before being so filed, be approved as to form and surety by the judge making said appointment. To file bond.

4. Whenever any sergeant-at-arms shall be appointed under the provisions of this act, and a constable shall also be appointed or designated to attend on the sittings of said court or to perform other services in connection therewith, or both, the constable so appointed or designated by the judge of the court appointing such sergeant-at-arms shall not receive any compensation or fees for attendance on the sittings of said court. When sergeant-at-arms not to receive compensation, etc., on sittings of court.

5. All acts and parts of acts, general, special and local, inconsistent herewith, are hereby repealed, and this act shall take effect immediately. Repealer.

Approved March 26, 1896.

CHAPTER 112.

An Act to amend an act entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act respecting bridges" (Revision), approved April tenth, one thousand eight hundred and forty-six,' which supplement was approved April eighteenth, one thousand eight hundred and eighty-nine, and which further supplement was approved April twenty-first, one thousand eight hundred and ninety," approved March twenty-second, one thousand eight hundred and ninety-five.

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

Section to be amended.

1. Section one of the act approved March twenty-second, one thousand eight hundred and ninety-five, entitled "A further supplement to an act entitled 'A further supplement to an act entitled "An act respecting bridges" (Revision), approved April tenth, one thousand eight hundred and forty-six,' which supplement was approved April eighteenth, one thousand eight hundred and eighty-nine, and which further supplement was approved April twenty-first, one thousand eight hundred and ninety," shall be and the same is hereby amended so as to read as follows :

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

Boards of freeholders to erect, keep and maintain bridges.

1. Where any stream, creek or river shall be the dividing line between any two or more counties of this state the boards of chosen freeholders of said counties shall erect, rebuild, maintain and keep in repair suitable bridge or bridges across the waters, water-way or water-ways of such streams, creeks or rivers at the joint expense of such counties, whether the waters of such stream, creek or river shall flow in one or more separate

channels or water-ways; *provided, however*, that in case it shall be necessary to erect a bridge or bridges at a point on such stream, creek or river where the same shall flow in two or more channels or water-ways, the place where said stream, creek or river divides shall not be more than five hundred yards from the place where said channels or water-ways shall again join and flow as one channel or water-way; *and provided, further*, that this act shall not apply to any bridges over any stream, creek, river, water-way or channel that has been caused by the erection of any mill or mills for waste waters or race-ways from and to the same.

2. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 113.

An Act to enable persons who have heretofore organized as an association or company under the provisions of "An act incorporating homestead or building companies," February twenty-fifth, one thousand eight hundred and fifty-two, and the supplements thereto, to sell and convey lands and real estate heretofore purchased by them.

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

1. Any association of persons which has heretofore organized and done business as a company or association under the provisions of "An act incorporating homestead and building companies," approved February twenty-fifth, one thousand eight hundred and fifty-two, and the supplements thereto, and which has filed a certificate of organization, constitution, or any paper in the nature thereof, under said act, and which may have purchased lands and real estate in the name of the said company or association, and which owns the said land and real estate, such persons and their successors shall

Associations
empowered to
sell and dispose
of lands.

have power to sell or dispose of any lands or real estate or any part thereof heretofore purchased or acquired by them in the name of such company or association to any person or persons other than those constituting the said company or association, and to give good and sufficient deed or deeds of conveyance therefor, and the purchaser or purchasers of such lands or real estate, or any part thereof, shall not thereby be constituted members of such company or association so formed as aforesaid.

Sales of lands to be approved by two-thirds of stock present at a meeting specially called.

2. Any such sale of the lands of such company or association must be approved and ratified by the vote of at least two-thirds of the stock present at a meeting of the association or company specially called to consider such proposed sale of the lands and real estate or part thereof; notice of such meeting must be given by advertisement for four weeks successively at least once in each week in a newspaper published and circulating in the city or town where such company or association is located, to which advertisement shall be appended the names and office of the president and secretary, and said notice shall state the time, place and purpose for which such meeting is called, and also by mailing, with the postage prepaid, a written or printed copy of said notice to every stockholder whose name and address as such appears upon the books of said company or association; in the event of such sale being ratified and approved as aforesaid the presiding officer of such company or association shall execute the deed or deeds, and the secretary shall affix the seal of the association or company thereto and shall attest the same.

3. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 114.

An Act relating to the time of holding municipal or charter elections and the commencement of the terms of office of municipal officers elected 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. The municipal or charter elections in cities of the first class in this state shall be held on the second Tuesday of April in each year, and the terms of office of all municipal officers elected in such cities in this state shall commence on the first Monday of May following the election of such officers. Charter elections, when to be held.

2. 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 March 26, 1896.

CHAPTER 115.

An Act to empower the board of chosen freeholders of the county of Middlesex to build a drawbridge over the Raritan river from Perth Amboy, New Jersey, to the southwardly side of said river at or near South Amboy, New Jersey.

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

1. It shall and may be lawful for the board of chosen freeholders of the county of Middlesex to build and construct or authorize any person or cause to be built Board authorized to construct a bridge.

and constructed for uses exclusively public a bridge across or over the Raritan river, at or near its intersection with Herbet street in said city of Perth Amboy and county of Middlesex, and to place in said bridge a draw or swing, the same to conform to the requirements of the department of war of the United States government, of such construction as to impede as little as possible the navigation of said river.

Provisions of act inoperative until assented to by majority of legal voters.

County clerk to publish notice of election.

2. This act shall take effect immediately, but its provisions shall remain inoperative in said county of Middlesex until assented to by a majority of the legal voters thereof voting at the next annual election to be held in said county of Middlesex, of which the county clerk of said county shall cause public notice of time and place of holding the same, to be given by advertisement signed by himself and set up in at least five public places in each township and city of said county of Middlesex, and published in two or more daily newspapers printed therein for at least two weeks previous to the day of such election, and that assent or dissent shall be expressed upon the regular ballots to be used at such election by the words printed on said ballots "for bridge from Perth Amboy over the Raritan river to the southwardly side of said river at or near South Amboy, in county of Middlesex," and by those opposed to the building of such bridge by the words "against bridge from Perth Amboy over the Raritan river to the southwardly side of said river at or near South Amboy, in county of Middlesex," and said county clerk is hereby authorized and directed to cause the official ballots to be used at such election to be printed and prepared so that the same shall comply with the provisions of this act.

Approved March 26, 1896.

CHAPTER 116.

A Further Supplement to the act entitled "An act concerning the custody of infants," approved March twentieth, one thousand eight hundred and sixty.

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

1. In every proceeding by habeas corpus relative to the custody of a minor child, the rights of both parents, in the absence of misconduct, shall be held to be equal, and the happiness and welfare of the child shall determine the custody. Rights of parents held to be equal in proceedings.

2. 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 March 26, 1896.

CHAPTER 117.

An Act relating to the formation of boroughs and villages.

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

1. No borough or village shall hereafter be incorporated in this state except by special act of the legislature, and every borough or village so incorporated shall be governed by the general laws of this state relating to boroughs or villages respectively. Boroughs and villages to be incorporated by special acts.

2. This act shall repeal every provision of any and every general law of this state so far as the same is inconsistent herewith, and shall take effect immediately. Repealer.

Approved March 26, 1896.

New Jersey State Library

CHAPTER 118.

An Act respecting cities of the first class, and providing for the apportionment of taxes, assessments and water rents therein.

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

Apportionment of taxes, assessments and water rents; by whom and how made.

1. Upon application made to the comptroller or other chief financial officer of any city of the first class of this state, by petition signed by any person or persons interested petitioning said officer to apportion any taxes, assessments or water rents which have been or shall be laid upon any plot or parcel of land in any city of the first class of this state among any subdivision of such plot or parcel, accompanied by a map showing the subdivisions desired, the officer to which such application shall be made shall have power to make a just apportionment of such taxes, assessments and water rents upon and among such subdivisions or such other subdivisions as may be just and proper, and also to apportion in manner aforesaid any taxes, assessments or water rents for non-payment of which any plot or parcel of land has been or shall be sold, under the laws relating to such sale, with expenses of sale, in case where such land has been or shall be bought by the comptroller or other officers of such city for the use and benefit thereof; and such apportionment shall be made by like proceedings in case said taxes, assessments or water rents shall have been adjusted or revised by any board or body having power to make such adjustment or revision.

Apportionment; how made, and not valid until approved by resolution.

2. Said apportionment shall be made by the comptroller or other chief financial officer in the manner and by like proceedings now provided by law for the making of apportionment of taxes, assessments and water rents in such cities, but such apportionment shall not be valid or binding until the same shall have by resolution been

approved by the common council or other board having control of the finances in said cities.

3. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 119.

A Supplement to an act entitled "An act concerning executors and the administration of intestates' estate" (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* :

1. Any executor or administrator by virtue of letters obtained in another state may prosecute any action or sue out execution upon judgment or decree in any court of this state as if his letters had been granted in this state; *provided*, that such executor or administrator shall first file in the office of the register of the prerogative court an exemplified copy of his letter, and upon such filing may bring all necessary actions in any of the courts of this state; *provided, also*, that security for the costs may be required from such executor or administrator as if he were a non-resident of this state.

Foreign executors or administrators may prosecute actions.

Proviso.

Proviso.

2. In all suits now pending or hereafter to be brought in any of the courts of this state, and where any party thereto shall have died or shall hereafter die a non-resident of this state, leaving a last will and testament, afterwards probated in the state where such party resided at the time of his death, it shall and may be lawful for the executors named in said will, or such of them as may qualify thereunder, upon filing a duly exemplified copy of said will, together with their letters thereon, either in the office of the surrogate of the county where the lands, tenements and hereditaments affected by the suit are situate, or, in any case, in the office of the register of the prerogative court, to appear

Executors, &c, upon filing copy of will or letters may appear by petition in actions.

and by petition in said action or cause be made parties plaintiff or defendant to said suit in place and stead of their testator.

Repealer.

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

Approved March 26, 1896.

CHAPTER 120.

A Supplement to an act entitled "An act concerning roads" (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* :

Board of freeholders to furnish crushed or broken stone free of cost.

1. In every county of the second class in this state wherein any stone quarry or quarries and any stone crusher or crushers operated in connection therewith are owned and worked by such county, it shall be lawful for and the duty of the board of chosen freeholders of every such county to furnish and supply therefrom, free of any cost and charge, towards the making, working, amending and repairing of the public roads and highways in the cities, towns or townships in said county, such quantity of crushed or broken stone and of such size or sizes as shall be requested by said city, town or township, and as hereinafter provided; *provided, nevertheless*, that the quantity to which all such cities, towns or townships shall be entitled and which said board of chosen freeholders shall be required to furnish and deliver, as aforesaid, shall not exceed a total of four thousand tons annually, to be apportioned among the several cities, towns and townships in such counties, pro rata based on the amount of county tax raised and actually paid to the collector of such county in any year.

Proviso.

Duty of board to furnish and deliver stone at request of municipal officers.

2. It shall be the duty of every such board of chosen freeholders to cause to be furnished and delivered at

said quarry or quarries to any such city, town or township, upon the written request of the mayor, chairman or other principal officer thereof, and to such person or persons as he may designate to receive the same, so much of said crushed or broken stone and in such quantities and of such size or sizes as shall, from time to time, be requested, not exceeding five hundred tons nor less than one hundred tons, semi-annually, and the same shall be distributed and assigned by the municipal authority of such city, town or township, and thereafter used under the direction of the persons or officers having charge and supervision of the public roads and highways in said city, town and township, for the purposes in the first section of this act provided.

Amount.

3. In the event of the proper authorities of any such city, town or township failing to demand in writing to the board of chosen freeholders of such county, and providing for the shipment of the same, before the first day of July in any year for the share or portion of crushed stone to which it shall be entitled under the provisions of this act, then and in that case such portion or share shall immediately be re-apportioned in the second semi-annual distribution among the several cities, towns and townships of such counties as provided for in the first section of this act; which said board of chosen freeholders shall be required to furnish and deliver under the provisions of this act, and shall not exceed four thousand tons in any year.

Failure of authorities to demand before a certain date, share or portion to be re-apportioned and distributed.

4. The stone so furnished and delivered as aforesaid shall be used for and applied to the purposes mentioned in this act and for no other purposes whatsoever, and that if any person shall sell, or offer to sell, any of said stone or dispose of the same for any other purpose than as provided in this act, he, she or they so offending shall be deemed and adjudged guilty of a misdemeanor and on conviction shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding ninety days, or both.

Amount required to be furnished.

Stone furnished and delivered not to be used for any other purposes.

Penalty for selling or disposing of stone.

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

Repealer.

Approved March 26, 1896.

JOINT RESOLUTION.

Number 2.

Joint Resolution to define the state flag.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey :*

Color of
state flag.

The state flag shall be of buff color, having in the center thereof the arms of the state properly emblazoned thereon.

Headquarters
flag.

2. The state flag shall be the headquarters flag for the governor as commander-in-chief, but shall not supersede distinctive flags which are or may hereafter be prescribed for different arms of military or naval service of this state.

3. This act shall take effect immediately.

Approved March 26, 1896.

 CHAPTER 121.

An Act approving of the union, consolidation and merger of the Martin's Creek railway company (incorporated under the laws of the commonwealth of Pennsylvania) and the Enterprise railroad company, the Martin's Creek railway company and the Belvidere Delaware railroad company (incorporated under the laws of the state of New Jersey).

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

Consent to
union and
consolidation.

1. The scheme of union, consolidation and merger of the Martin's Creek railway company (incorporated under the laws of the commonwealth of Pennsylvania)

and the enterprise railroad company, the Martin's Creek railway company and the Belvidere Delaware railroad company (incorporated under the laws of the state of New Jersey), submitted to the legislature of this state for its consideration (a copy of which is attached hereto and made a part hereof), is hereby approved by this act passed for that purpose.

2. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 122.

An Act to amend an act entitled "An act to amend an act entitled 'An act to secure to creditors an equal and just division of the estates of debtors who convey to assignees for the benefit of creditors,' " which amendatory act was approved February fifteenth, one thousand eight hundred and eighty-six.

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

1. The act of which this act is an amendment be amended so as to read as follows:

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

1. Section five of said act be amended so as to read as follows:

5. At the expiration of three months from the date of said assignment the said assignee or assignees shall file with the surrogate of the county wherein such debtor or debtors reside at the time of making such assignment a true list under oath or affirmation of all such creditors of said debtors as shall claim to be such, with a true statement of their respective claims, having first advertised at least once a week for six weeks next preceding the end of said term in one of the newspapers printed in said county, and by putting up advertisements in five of the most public places in the neighbor-

Assignees to
file list of
creditors.

Failure to file
list or give
notice court
may extend
time.

hood wherein such creditors or a majority of them reside, making known thereby that all claims against said estate must be made as hereinafter prescribed or be forever barred from coming in for a dividend of such estate otherwise than hereinafter provided; and in case of failure to file such list or give such notice the orphans' court of said county may extend and fix the time for that purpose, and at the expiration of every six months from the filing of said list of creditors and until the final distribution of the estate in his or their hands the assignee or assignees shall make report to the court of his or their proceedings in the conversion and distribution of said estate for the preceding six months, which report or reports shall be filed with the surrogate and a copy thereof mailed by said assignee or assignees to each creditor who has presented his claim, together with a list of any claims that may have been presented to such assignee or assignees during the period covered by said report.

2. This act shall take effect immediately.
Approved March 26, 1896.

CHAPTER 123.

An Act concerning cities and regulating insurance on public buildings therein.

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

Insurance
fund may be
established.

1. That in case any city of this state or any department thereof shall not insure its public buildings or the public buildings under its control, it shall be the duty of such city or department to provide an insurance fund for the purpose of meeting any loss by fire to said buildings.

Creation
of fund.

2. For the purpose of creating such fund the city treasurer, or other proper financial officer of the city, shall retain and under the direction of the finance committee or other financial board of such city invest an-

nally a sum equal to one per centum on the value of said buildings respectively, as fixed by said finance committee or financial board, and to deduct such sum from the appropriation to the department having charge of said buildings respectively, and the fund so formed shall be a fund from which all losses by fire to property of such city shall be made good, and when said losses shall have been ascertained by said finance committee or financial board, the amount thereof shall be carried to the credit of the department charged with the repairs or reconstructions of said buildings injured by fire.

3. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 124.

An Act to repeal an act entitled "An act to create a council of state charities and correction," approved March twenty-third, one thousand eight hundred and eighty-three.

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

1. The act entitled "An act to create a council of state charities and correction," approved March twenty-third, one thousand eight hundred and eighty-three, be and the same is hereby repealed.

Act repealed.

2. Nothing in this act contained shall be held to revive an act entitled "An act providing for the record and report of jail statistics," approved March twenty-third, one thousand eight hundred and eighty-two.

Act not to revive a certain act.

3. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 125.

An Act to repeal an act entitled "A general act concerning taxes."

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

Act repealed.

1. The act entitled "A general act concerning taxes," approved March twenty-eighth, one thousand eight hundred and ninety-five, be and the same is hereby repealed.

2. This act shall take effect immediately.
Approved March 26, 1896.

CHAPTER 126.

A Supplement to the act entitled "An act constituting district courts in certain cities in this state," approved March ninth, one thousand eight hundred and seventy-seven.

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

Judge to
appoint clerk

1. The judge of each of the districts courts in this state shall appoint the clerk thereof, who shall hold his office until his successor is appointed.

Term of
office.

2. The term of office of the clerk of each of said courts shall expire one month after the expiration of the term of the judge thereof, under whom said clerk shall have been or was appointed, unless a successor to said clerk be sooner appointed.

Repealer.

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

Approved March 26, 1896.

CHAPTER 127.

An Act in relation to taxes upon personal property and providing for the collection thereof.

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

1. The receiver of any corporation appointed by the court of chancery or any assignee in trust for the benefit of the creditors of the assignor shall take, receive and hold all personal property subject to all unpaid taxes and shall, out of the first moneys received by him or them, pay to the proper collecting officer of the municipality levying the tax all said unpaid taxes, together with the interest and penalties thereon; this payment must be made before any other payments are made by any such receiver or assignee; *provided, however*, that nothing in this act contained shall in any way affect the lien of employes for wages now preferred by law.

Receivers and assignees to pay unpaid taxes.

Proviso.

2. This act shall take effect immediately.

Approved March 26, 1896.

CHAPTER 128.

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 Henofoefa Huebsch died seized, in the city of Rahway, in the county of Union.

WHEREAS, one Henofoefa Huebsch, late of the city of Rahway, in the county of Union, New Jersey, departed this life on the fourth day of October, in the year one thousand eight hundred and eighty-seven,

Preamble.

seized of those eight lots, tracts, pieces or parcels of land and premises, situate, lying and being in the city of Rahway, in the county of Union and state of New Jersey, which on a map entitled, "Map of property of William Johnson, at Rahway, Union county, New Jersey, one thousand eight hundred and sixty-nine," and filed in the clerk's office of the county of Union, New Jersey, are designated, distinguished and known as lots numbers one hundred and ninety (190), one hundred and ninety-one (191), one hundred and ninety-two (192), one hundred and ninety-three (193), one hundred and eighty-six (186), one hundred and eighty-seven (187), one hundred and eighty-eight (188), one hundred and eighty-nine (189), and the lands in the avenues and streets in front of said premises to the middle thereof, respectively, the same to be kept open as public streets and highways forever; and which were conveyed to the said Henofoefa Huebsch by the name of Henofoefa Huebsch, by Nathaniel K. Thompson, sheriff of Union county, by deed dated January thirtieth, one thousand eight hundred and seventy-eight, and recorded in the office of the clerk of Union county, in book one hundred and twenty-six of deeds, pages two hundred and twenty, etc.; *and whereas*, said Henofoefa Huebsch died without having made any will and leaving no children or heirs-at-law; *and whereas*, said lands and premises were purchased with the money of Lorenz Huebsch, the husband of said Henofoefa Huebsch, and the said Lorenz Huebsch has been in possession of the said lands and premises since the decease of said Henofoefa Huebsch, and has paid the taxes thereon.

Title vested.

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

1. All the estate, right, title and interest of the state of New Jersey into and upon all the above recited lots or tracts of land and premises, whereof the said Henofoefa Huebsch died seized, with the appurtenances thereunto belonging, or in anywise appertaining, be and the same is hereby granted and released unto the said Lorenz Huebsch, his heirs and assigns forever.

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

Approved March 30, 1896.

CHAPTER 129.

An Act relative to corporations for the holding of agricultural fairs and exhibitions.

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

1. Every corporation that has heretofore been organized, and that shall hereafter be organized, under the act entitled "An act concerning corporations," or under any other act, for the purpose of holding agricultural fairs and exhibitions, shall have power to hold fairs and exhibitions of agricultural, horticultural, mechanical and manufacturing productions, collections and discoveries of works of art, of horses, cattle, sheep and other live stock and animals, and for the encouragement of competition in the breed of stock and development of speed and other qualities in horses and other animals; to provide, keep and maintain grounds, buildings, road-tracks, walks and such other improvements as may be necessary or desirable for the proper display of the articles and things exhibited at said fairs and exhibitions; to encourage competition by the offer and payment of premiums and awards for stock and articles of a superior kind, class or quality, and to ask, demand and receive reasonable fees for the admittance of exhibitors and visitors to said fairs and exhibitions.

Certain corporations authorized to hold agricultural fairs, etc.

2. For the purpose of maintaining order and preserving the peace and decorum upon all grounds on which any fair and exhibition shall be held by any association organized under the provisions of the said act concerning corporations or under any other act, the directors of every such association shall have police jurisdiction upon the grounds on which such association shall hold any fair and exhibition, and for the distance of one-

Directors to have police jurisdiction upon grounds, etc.

May appoint
police officers.

quarter of a mile from the boundaries of such grounds ; it shall be the duty of said directors, and they shall have power, to suppress the sale of intoxicating liquors by parties not regularly licensed by the public authorities, and to prohibit every species of gambling and breach of the peace or laws of this state on said grounds and within said limits ; and it shall also be lawful for said directors, or a majority of them, to appoint from time to time, as many fit and discreet persons as they may deem proper, as special police officers, who, before entering upon the duties of their respective offices, shall each take and subscribe an oath or affirmation, before a master in chancery, notary public or justice of the peace of the county in which such fair and exhibition may be held, that he will well and truly serve the State of New Jersey as such special officer, and will execute and perform all services, acts and duties of his office to the best of his knowledge, judgment and ability, which oath or affirmation shall be forthwith filed in the office of the clerk of the county in which such fair and exhibition may be held, the date of which filing shall be indorsed thereon by said clerk, who shall be paid for each oath or affirmation so filed, the sum of twenty cents, and the persons so appointed and sworn, or affirmed, shall possess, so long as the said directors shall choose to retain them, the same powers and authority on the grounds where any such fair and exhibition may be held, and within the limits aforesaid, as are or may be vested in constables in criminal cases in this state, and they shall have power and authority, without process, to arrest all persons who shall be there found violating any of the laws of this state, or who shall conduct themselves in a disorderly manner, or disturb or wrongfully interfere with any such fair and exhibition, or the exhibitors thereat or visitors thereto, or who shall violate any of the rules or regulations of the association who may hold any such fair and exhibition, and any person so arrested shall be taken, as soon as conveniently may be, before a justice of the peace of the county in which such fair and exhibition may be held, there to be dealt with according to law.

Powers and
authority of
officers.

Approved March 30, 1896.

CHAPTER 130.

An Act to provide for the appointment of deputy fish and game wardens.

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

1. The board of fish and game commissioners is hereby authorized to appoint such deputy fish and game wardens as such board may deem necessary for the better enforcement of the laws regulating the taking of fish, game and birds.

Board authorized to appoint deputy fish and game wardens.

2. Such deputy fish and game wardens shall have all the powers and authority conferred by the laws of this state on fish and game wardens of the state, and shall be entitled to all the fees and emoluments of such office of fish and game wardens, and shall be subject to the regulations provided by law for such fish and game wardens; *provided, however,* that such deputy fish and game wardens shall receive no salary or other compensation from the state.

Powers and authority of wardens.

Proviso.

3. This act shall take effect immediately.
Approved March 30, 1896.

CHAPTER 131.

An Act to amend an act entitled "An act to regulate the practice of courts of law," approved March twenty-seventh, one thousand eight hundred and seventy-four (Revision).

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

1. Section one hundred and twenty-nine of an act entitled "An act to regulate the practice of courts of law,"

approved March twenty-seventh, one thousand eight hundred and seventy-four (Revision), is hereby amended so that the same shall read as follows:

Section as amended.

129. In actions on contract, whether under seal or not, the defendant may set up as a defense in abatement of the damages to be recovered by the plaintiff, a defect in or partial failure of the consideration of the contract sued on; the defendant may also recoup all damages which he may have sustained by reason of any cause of action arising out of the contract or transaction set forth in the plaintiff's declaration as the foundation of the plaintiff's demand, or connected with the subject of the action; *provided*, that a notice of the particulars of such defense or counterclaim be annexed to the plea and filed therewith; and if the defendant shall recoup damages, and the amount of such damages shall be found to exceed the demand of the plaintiff, judgment shall be given in favor of the defendant and against the plaintiff in such action for such excess, with costs.

Proviso.

2. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 132.

An Act to promote the propagation and growth of seed oysters and to protect the natural oyster beds of this state.

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

Oyster beds divided into districts.

1. For the purpose of promoting the propagation and growth of seed oysters and to protect the natural oyster beds of this state, the said natural oyster beds shall be and they hereby are divided into six districts as follows:

District number one, Barnegat bay north of Gunning river;

District number two, from Gunning river south to Gaunt's Point;

District number three, from Gaunt's Point south to the south side of Great bay, Atlantic county;

District number four, from south side of Great bay to the division line between Atlantic county and Cape May county;

District number five, the waters of Cape May county.

2. The following named persons shall be and they hereby are appointed to act as commissioners in and for their respective districts for the term of three years, to do and perform such duties as may hereinafter be prescribed, and who shall, before they enter upon the performance of such duties, take and subscribe to an oath or affirmation before the clerk of the county wherein they reside, respectively, to faithfully discharge the duties of their office:

Commissioners appointed; term of office.

Take an oath.

First district, Abram Hance, William Britton, Jr., Arthur J. Collins;

Second district, S. Rockhill Parker, Josiah H. Gaskill;

Third district, John Cavileer, Marshall A. Loveland, George A. Mott;

Fourth district, John W. Johnson, Lewis H. Barrett;

Fifth district, Robert Corson, George Dickinson, junior;

and in case of any vacancy occurring by death, resignation, removal or otherwise, the governor shall have authority to appoint any competent resident of the district to fill such vacancy.

Vacancies; how filled.

3. It shall be the duty of the said commissioners to make a careful inspection of the natural oyster grounds in their respective districts, and, wherever and whenever in their opinion it is expedient, to cause a supply of shells to be spread on the grounds of the said natural oyster grounds in their respective districts, which from any cause have become depleted, which said shells shall be purchased by said commissioners at the lowest price, and be spread between the thirtieth day of April and the first day of September in each year for the period of three years, and until the appropriations hereinafter made for the purpose shall be exhausted.

Duties of commissioners.

When unlawful
to rake, tong, etc.

4. It shall not be lawful for any person or persons to rake, tong, dredge, or in any manner disturb or work upon any grounds occupied by the state of New Jersey for the purpose of planting shells until the second season after the spat have adhered to the shells so planted, providing the catch is sufficient to justify the said commissioners in turning them out for public grounds; and any person or persons offending against the provisions of this act shall be deemed guilty of a misdemeanor and punishable, after conviction, by a fine of fifty dollars for each and every offense, or imprisoned in any county jail for a period of three months, or both, at the discretion of the court, and the fine, when so recovered, shall immediately be paid to the treasurer of this state for the use of the state.

Penalty.

Penalty for
taking oysters
during closed
season.

5. The taking of oysters from any natural oyster seed grounds during the closed season from the first day of May until the first day of October, or the violation of any provision of the "culling act," shall be considered a misdemeanor and the aforesaid penalty shall be inflicted, and that the said oyster commissioners shall have authority to arrest any person or persons caught violating any of the provisions of this act, that they shall be empowered to wear a badge designating their office, which shall distinguish their authority, and which shall be recognized and respected as officers empowered to enforce and protect the provisions of this act.

Compensation.

6. It shall be the duty of the said oyster commissioners to strictly enforce all existing laws regulating the natural oyster grounds of this state; each of the above commissioners above named shall be entitled to receive for each day's actual service in the discharge of their duties as aforesaid the sum of three dollars, to be paid by the state treasurer upon warrant of the comptroller; the comptroller being hereby authorized to issue such warrant upon presentation to him of a statement, duly verified by oath or affirmation, by such commissioner, that the service for which pay is demanded has been duly performed.

Appropriation,
and how dis-
tributed.

7. For the purpose of carrying out the provisions of this act there shall be available when appropriated the sum of eight thousand dollars annually, for the period of three years, of which said sum four thousand dollars shall be distributed in the various districts named in

this act for the purchasing and spreading of shells as follows:

First district, a sum not to exceed one thousand dollars;

Second district, a sum not to exceed four hundred dollars;

Third district, a sum not to exceed seven hundred dollars;

Fourth district, a sum not to exceed seven hundred dollars;

Fifth district, a sum not to exceed six hundred dollars;

The remainder of the sum annually appropriated, or such portion of it as may be necessary, shall be available for the payment of the commissioners appointed to carry out the provisions of this act, any surplus to be used under this act, as a majority of the commissioners may decide.

8. The commissioners herein named are authorized to employ such assistants as they may deem necessary to carry out the provisions of this act. May employ assistants.

9. This act shall take effect April fourth, eighteen hundred and ninety-six.

Approved March 30, 1896.

CHAPTER 133.

An Act providing for the appointment of women as masters in chancery.

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

1. The chancellor of the state of New Jersey shall have the power and authority in his discretion to appoint any woman who has been or who shall hereafter be admitted to practice law in the courts of this state, whether she be married or unmarried, a master in chancery of the state of New Jersey, and such appointment Chancellor authorized to appoint.

shall confer upon the appointee all the privileges, duties and powers which a similar appointment of a man can confer upon him.

When appointment to terminate.

2. Upon the marriage or re-marriage of any woman hereafter appointed as master in chancery by the chancellor as above provided such appointment shall immediately terminate and become void and of no effect; but nothing herein contained shall prevent the chancellor from re-appointing such woman by the name under which she shall thereafter be known, or shall prevent her, though a married woman, from fully exercising the powers and duties of the office as she might do if unmarried.

3. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 134.

A Supplement to an act entitled "An act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates and water rents in cities of this state, and imposing and levying a tax, assessment and lien in lieu and instead of such arrearages, and to enforce the payment thereof, and to provide for the sale of lands subjected to future taxation and assessment," passed March thirtieth, one thousand eight hundred and eighty-six.

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

City clerk to record notice to redeem, etc.

1. In all cases where the city shall deliver a deed to the purchaser of any lands pursuant to the act to which this is a supplement, the city clerk shall forthwith record in a book to be kept for that purpose, the notice to redeem and the proofs of inquiry, service, mailing

and publication thereof, and the order of court, if any, directing such deed to be given, and the assignment of the certificate of sale, if any, with a memorandum of the date of the deed and the name of the grantee, and such record shall be evidence of the facts therein stated, of the same force as the original papers; an index of said records shall be made by lot and block numbers, and by the names of the grantees, and kept for the convenience of all desiring to consult said records; for recording such papers the clerk shall receive for the use of the city, six cents per folio of each one hundred words, and for indexing each sale ten cents; a memorandum of the amount of said fees shall be entered at the foot of the record in each case and be paid by the grantee on delivery of the deed; *provided*, that when the city, or any officer thereof, is the grantee, no fee shall be paid, but a memorandum of the fee shall be entered as in other cases; and if the city afterwards sells said lands at private sale the amount of said fees shall be added to the selling price.

Index to be made.

Fees of clerk.

Proviso.

2. In all cases where any lands shall have been heretofore or hereafter bought by the city under the act to which this is a supplement, the mayor, city clerk and comptroller (and in cities which have no comptroller the treasurer) may at any time before the delivery of the deed, sell at private sale and assign to any person the certificate of such sale upon payment to the city of the amount due thereon with interest and all taxes, assessments and water rents subsequently levied thereon and all costs incurred in the proceedings for sale, and the assignment of said certificate shall be signed by said three officers and bear the corporate seal of the city.

Lands bought by cities may sell same at private sale or assign certificate.

3. Where the holder of any lease or mortgage or other lien on lands who is entitled to redeem said lands from a sale made under said act has died or shall die either before or after the sale, and before notice to redeem has been served upon him, and no executor or administrator has been qualified to represent his estate, or if his executor or administrator shall have died or resigned or been removed or otherwise disqualified so that notice to redeem cannot be given to any executor or administrator, then in such case notice to redeem

When notice to be given to next of kin.

shall be given to the next of kin of such decedent, which notice shall be sufficient.

4. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 135.

An Act to amend an act entitled "A supplement to the act entitled 'An act appropriating scrip for the public lands granted to the state of New Jersey by the act of congress approved July second, one thousand eight hundred and sixty-two,' approved April fourth, eighteen hundred and sixty-four," which supplement was approved June thirteenth, one thousand eight hundred and ninety-five.

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

1. Section two of the act to be amended hereby, being chapter 417 of the laws of one thousand eight hundred and ninety-five, is hereby amended so as to read as follows:

2. That upon payment or transfer of any such moneys as aforesaid to the sinking fund of the state, the state treasurer and comptroller shall issue and deliver therefor to said commissioners a certificate of this state to the effect that the state will pay to said commissioners five per centum annually in semi-annual payments of the amount so paid into or transferred to the sinking fund so long as said act of congress and the laws of this state, passed in pursuance thereof, shall be in all things and by all parties observed and complied with.

2. This act shall take effect immediately.

Approved March 30, 1896.

Section as
amended.

CHAPTER 136.

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

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

1. The judge of any district court in this state may preside in and conduct the business of any other district court, when requested so to do by the judge thereof, and while presiding in such court shall have all the powers of the judge regularly appointed to said court.

Judges may
preside in other
district courts.

2. The judges of the district courts in any city in this state having more than one district court may meet and make an order assigning each to the court to which the other was specially appointed; such order shall be in writing and signed by both judges, and filed with the clerk of the county in which said courts are located, and thereupon each judge shall become a judge of the court to which he has been assigned as aforesaid, and therein shall possess and exercise all the rights, powers and privileges previously belonging to the judge originally appointed to said court.

Judges may
meet and assign
courts.

Order to be filed.

3. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 137.

An Act to annex to the township of New Barbadoes, in the county of Bergen, a portion of the township of Lodi, in said county.

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

Description.

1. All that portion of the township of Lodi, in the county of Bergen, described as follows, to wit: beginning in the southwest corner of the township of New Barbadoes, being also the northeast corner of the borough of Lodi, which said point of beginning is in the center of the public road known as the Hackensack and Paterson turnpike, also known as Essex street, where the brook known as Cole's mill brook now or formerly intersected said road (said mill brook is the westerly boundary of the land of Thomas and Catharine Lavach, formerly a part of the farm known as the Brinkerhoff farm), running from thence (1) along the division line between the Hackensack improvement commission and the borough of Lodi to the northerly line of the land which was formerly the homestead farm of John H. Ackerman, deceased, now the property of Joseph W. Moyer (said division line being a part of the straight line drawn from the first above-mentioned point of beginning to a point in the Lodi railroad where Hopper's brook, in its northerly course, crosses said railroad), thence (2) still along the easterly line of the borough of Lodi to the center line of the Lodi branch railroad (said borough line being a part of the straight line drawn from the end of the preceding course to the northwest corner of the tract known as the Henry Kipp homestead farm), thence (3) southeasterly along the center line of said railroad to the junction with the center line of the right of way sixty-six feet wide of the New Jersey and New York railroad, thence (4) northerly along the

center line of the right of way of the New Jersey and New York railroad about two thousand two hundred and twenty-eight feet to the point where the division line between the lands of Frederick Weislogel and the lands of the heirs of Jacob I. Hopper, deceased, extended westerly intersects said center line, thence (5) easterly to and along said division line between the land of Frederick Weislogel on the north and the land of the heirs of Jacob I. Hopper, deceased, the land of George Seubert and the land formerly belonging to Obediah Hopkins, deceased, on the south, being through a line ditch to the riser ditch, thence (6) continuing easterly along another line ditch separating the land now or formerly of Charles S. Mingo, the land of Samuel Porter and the land of Jacob Troost on the north from the land formerly of John Frederick Schrieffer, deceased, on the south, to the point of intersection with the line between the townships of New Barbadoes and Lodi, thence (7) northwesterly along said township line to the place of beginning, be and the same s hereby set off from the said township of Lodi, and annexed to and made part of the township of New Barbadoes, in said county.

2. All taxes now due and in arrears assessed upon the persons or property in that portion of the township of Lodi above described shall be collected by the collector of the township of Lodi for the benefit of said township of Lodi, and all proceedings for the enforcement thereof, by sale of lands or otherwise, shall be taken by such collector in the same manner and with the same effect as if this act had not been passed.

Taxes; how and
by whom
collected.

3. This act shall be deemed a public act and take effect immediately.

Approved March 30, 1896.

CHAPTER 138.

A Further Supplement to an act entitled "An act to incorporate the Hackensack improvement commission," approved April first, one thousand eight hundred and sixty-eight, extending the boundaries thereof.

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

Boundaries
co-extensive.

1. The boundaries of the Hackensack improvement commission shall be and the same are hereby extended so as to be co-extensive with the boundaries of the township of New Barbadoes, in the county of Bergen, excepting thereout, however, all that portion of the said township of New Barbadoes being and lying in the borough of Little Ferry, and all the territory within the said township of New Barbadoes, except that portion lying in the borough of Little Ferry, shall be subject to the jurisdiction of the said the Hackensack improvement commission.

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

Approved March 30, 1896.

 JOINT RESOLUTION

Number 3.

WHEREAS, Number 3 of the joint resolutions of the senate and general assembly of the state of New Jersey, approved March twenty-fifth, one thousand eight hundred and ninety-five, provided for a commission of five persons to make careful examina-

tion concerning the inflexibility of the penal laws in the reinforcement and perpetuation of crime in New Jersey; *and whereas*, the said commission was duly appointed and has rendered to the legislature at this session a report containing the results of their deliberations, after having made an extensive and conscientious examination of the matters entrusted to them,
 BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey* :

1. That the said commission, as constituted, at the time of making said report, do further carefully investigate the subject of the inflexibility of the penal laws of the state of New Jersey, as provided in joint resolution number three aforesaid, and report to the next session of the legislature in the year one thousand eight hundred and ninety-seven the additional results of their examination and deliberation.

Approved March 30, 1896.

CHAPTER 139.

A Supplement to an act entitled "An act concerning savings banks," approved April twenty-first, eighteen hundred and seventy-six.

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

1. The managers of any savings bank may invest its moneys in the bonds of any school district which by law are charged upon the property of all the inhabitants of such district, which school district has not within ten years previous to making such investment defaulted in the payment of either principal or interest of any debt authorized to be contracted by it.

Managers may
invest moneys in
school bonds

2. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 140.

An Act to amend an act entitled "A supplement to an act entitled 'An act to secure to mechanics and others payment for their labor and materials in erecting any building' (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four," which supplement was approved March fourteenth, one thousand eight hundred and ninety-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, Section four of the act to which this is a supplement be and the same hereby is amended to read as follows: "Section thirteen of the act to which this is a supplement be and the same hereby is amended to read as follows: "

Section as amended.

"13. No debt shall be a lien by virtue of this act, unless a claim is filed as hereinbefore provided, within four months from the date of the last work done or materials furnished for which such debt is due; nor shall any lien be enforced by virtue of this act unless the summons in the suit for that purpose shall be issued within four months from the date of the last work done or materials furnished in such claim, and the time of issuing such summons shall be endorsed on the claim by the clerk upon the sealing thereof, and if no such entry be made within four months from such last date, or if such claimant shall fail to prosecute his claim diligently within one year from the date of the issuing of such summons or such further time as the court may by order direct, such lien shall be discharged, and that all suits now pending where a claim has been filed and a summons issued within four months from the date of the last work done or materials furnished for which said debt is claimed shall be included within the provisions of this act; *provided*, that the time in which such lien may be enforced by summons may be extended for any further

Proviso.

period, not exceeding four months, by a written agreement for that purpose, signed by said land owner and said claimant, and annexed to said claim on file before such time herein limited therefor shall have expired, in which case the county clerk shall enter the word 'extended' on the margin of the lien docket opposite such claim, and any claimant, upon receiving written notice from the owner of the lands or building requiring him to commence suit on such claim within thirty days from the receipt of such notice, shall only enforce such lien by suit to be commenced within said thirty days."

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

Approved March 30, 1896.

CHAPTER 141.

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

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

1. In cases where a public road or highway now or hereafter may form the whole or a part of the division line between boroughs incorporated under the act to which this is a further supplement, or between such a borough and a township or other municipality, that the mayor and council of such borough may issue bonds to pay such borough's share for draining or sewerage, grading, macadamizing, or otherwise improving such road or highway in conjunction with such other borough, township or municipality, before division thereof between them, or for such work upon its part or portion of such road or highway if divided between such

Authorized to
issue bonds to
pay share for
draining,
sewerage, etc.

- Proviso. municipalities or township; *provided, however*, that such bonds shall be issued in such amounts, for such time and at such rate of interest, not exceeding six per centum per annum, as the mayor and council shall deem most advantageous to the borough; *and provided further*, that the amounts of such bonds so issued shall not be taken or computed as forming part of any limitation there may be to the indebtedness of such borough, and that said bonds shall not be sold for less than par.
- Proviso.
- Repealer. 2. This act shall take effect immediately, and all acts and parts of acts inconsistent herewith be and the same are hereby repealed.
- Approved March 30, 1896.

CHAPTER 142.

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

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

Additional vice-chancellor may be appointed.

1. In addition to the vice-chancellors provided for in the act to which this is a supplement and the supplements thereto, there shall hereafter be another vice-chancellor as and when the chancellor shall determine, who shall be a counselor-at-law of at least ten years' standing, and who shall be appointed by the chancellor and commissioned by the governor, under the great seal of the state and who shall continue in office for seven years from the date of his commission.

Powers and duties.

2. The powers, duties and compensation of the vice-chancellor, who shall be appointed by virtue of this act, shall be similar to those of the vice-chancellors heretofore appointed and now in office.

3. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 143.

An Act concerning the collection of arrears of taxes and assessments upon lands by towns, boroughs or townships, and to enforce the payment thereof by sale in fee simple of the lands subject to the lien thereof.

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

1. In any town, borough or township where, at the time of the passage of this act, there are in arrears taxes and assessments or both, upon any tract of land to an amount exceeding in the whole twenty-five dollars including costs and interest at the rate of seven per centum per annum, which taxes have been unpaid for more than two years after the same became due and which lands have been sold for such taxes and have been purchased by and are now held by such town, borough or township under such tax sale, the township committee or governing body of such township, borough or town may present to the circuit court of the county in which it is situated, a petition signed by its chairman and verified by the town, borough or township clerk, setting forth the description under which the said lands were so assessed, the name and residence if known of every person having an estate in or lien upon the same, the date and amount of each assessment and annual tax in arrear, with the costs and interest computed separately at seven per centum per annum, the date of sale to said town, borough or township of said lands for non-payment of any of said taxes or assessments; that upon presentation of said petition, said court shall make an order directing the persons named in said petition to show cause before said court at a time by said order to be fixed, but not less than three months from its date, why they should not be ordered to pay the amount due, with the actual disbursements incurred under said petition, including the costs of

Proceedings for collection of arrears of taxes and assessments and to enforce payment by sale of lands.

searches necessary to discover the owners and lienors of said land, but not to exceed twenty-five dollars for searches on any one tract of land, or said lands shall be ordered to be sold in fee simple, absolute, free and clear from any estate in or lien upon the same, in favor of said person, to raise and pay the amount due with disbursements as aforesaid; that certified copies of such order to show cause shall be served personally or by residence service upon some member of defendant's family above the age of fourteen years within thirty days from its date, upon each person named therein resident in this state, and if any person named in said order is, upon careful inquiry, found to be not resident in this state; that within the same time a notice of the making of the said order, stating its date, purpose, time and place returnable, a description of the lands affected thereby, the amount of taxes and assessments due thereon with disbursements as aforesaid, and directed to each person named in such order, not a resident, shall be published in a newspaper published and circulating in the town, borough or towaship in which the lands are situated, for six weeks consecutively, once a week, and within the same time mailed to the last known post-office address of such non-resident; that on the return day of said order there shall be presented to the said court proofs of the service of the said order, or of the publication of such notice and of the manner in which inquiry has been made for the post-office addresses of non-residents, and of the time and manner of mailing such notice; that if the court shall not be satisfied by the proofs that due inquiry has been made for such post-office addresses, the hearing may be continued to a later day and further order made for service of the notice as the court may think proper; that if it shall appear by the petition or by proofs on the return day that any of the persons named in the order to show cause is under disability through minority or otherwise, the court shall appoint a guardian ad litem for such person, provided proof shall be made that at least thirty days' notice of the application for the appointment of a guardian ad litem shall have been served upon the general guardian, if any,

within this state, of such person under disability, or upon his father, if living in this state, or if not, upon his mother if living in this state; that all persons claiming any interest in or lien upon said lands under any instrument which by law could be made a public record in any public office in this state, and which shall not be so made matter of public record at the date of the filing of the petition above provided for, shall be bound by the proceedings taken under this act in the same manner as if such persons had been made parties to the proceedings; that where any person has been party to proceedings under this act, who by the public records appears to be the owner of some estate in or lien upon said lands, and inquiry made on behalf of the town, borough or township does not disclose whether such person is alive or dead, such person shall be conclusively presumed to be alive, and a notice published as required by this act and mailed to the address, if given by the instrument of record, shall be conclusive against, and bind not only such person if living, but any person claiming through or under him if he be dead; *provided*, that proof of the making of such inquiry on behalf of the town, borough or township shall be presented to the circuit court on the return day of the order to show cause; that where the lands shall be held in trust by a trustee or trustees, service of the notice prescribed hereby upon such trustee or trustees shall be conclusive on and bind all persons in any manner interested in said lands either in law or in equity, that if on the hearing of the rule to show cause it appears to the court that separate and distinct portions of any tract of land are owned by different persons, or that any separate and distinct portion thereof is subject to any lien which does not affect the other portions of such tract, it shall be lawful for the court, upon application by any person interested therein, to cause a proper and equitable apportionment of the tax or assessment to be made among and upon the separate and distinct portions composing the tract so assessed, and for that purpose may refer the matter to a referee to report upon the same, which referee shall be paid a reasonable compensation to be fixed by the court, and the tax or assessment so apportioned to each separate

Proviso.

and distinct portion shall stand in lieu of the tax or assessment upon the whole tract as of the date when said tax or assessment became a lien thereon, and all subsequent proceedings under this shall be taken as if such separate and distinct portions of the whole tract had been originally subjected to the proportion of the tax or assessment so apportioned to them.

Court to hear persons interested and order lands sold.

2. Upon the return day of the order to show cause, or the day to which the hearing thereon may be adjourned, upon proofs of service as hereinabove provided, the court shall summarily hear all persons in interest who may appear, and if no sufficient cause appears to the contrary, shall order the town, borough or township collector to sell said lands at public auction to the highest bidder, in fee simple, as hereinafter provided, to raise the amount of taxes, assessments, interests and costs, shown to be due by said petition, or upon said hearing, and interest thereon to the date of sale, together with the actual disbursements incurred under said petition, including searches necessary to discover the owners and lienors of said land, but not to exceed twenty-five dollars for searches upon any one tract of land.

Collector to advertise and sell lands.

3. The collector of taxes shall make sale of said lands at some public place within the town, borough or township, having first given notice of the time and place of such sale, by advertisement in two newspapers circulating in said town, borough or township for at least four weeks consecutively, once a week, and by posting the same in five public places of the town or township at least four weeks before such sale; he shall have power to adjourn the sale from time to time, but for not less than one week at each adjournment, and shall publish notice of such adjournment at least once in one newspaper circulating in the town, borough or township; he shall not sell any tract of land for an amount less than the total sum of taxes, assessments, interest, costs and disbursements due at the date of the sale, and always subject to the lien of all taxes and assessments subsequent to those for which such sale is made.

Collector to execute certificate of sale to purchasers.

4. The purchaser of any tract of land shall immediately, upon the same being struck off to him, pay twenty per centum of the amount bid by him, and

within ten days thereafter the remaining eighty per centum thereof, and the collector of taxes shall thereupon execute and deliver to him a certificate of sale, containing a covenant on the part of the town, borough or township, in case the title of such lands shall prove to be invalid, and upon surrender of the certificate to refund the amount paid by him for such land, but without interest.

5. Any person having an estate in or lien upon such lands may at any time up to the expiration of six months from the date of the certificate of sale redeem the same by paying to the collector of taxes the amount bid at such sale for the same with interest thereon at the rate of ten per centum per annum, which sum shall be held by the collector of taxes subject to the order of the purchaser at such sale upon the surrender of the certificate, but without interest; that any person so redeeming such lands shall be subrogated to the lien of the town, borough or township for the amount paid by him as against all other persons having any estate in or lien upon said lands, but subject, however, to all existing equities.

Lands; how redeemed.

6. If said lands have not been redeemed within six months from the date of the certificate of sale, the collector of taxes, at the expiration of said six months, upon the surrender of the certificate, shall execute, under the seal of the town, borough or township, attested by the town, borough or township clerk, and proved according to law, and deliver to such purchaser, his heirs or assigns, a deed of conveyance for said lands in fee simple, absolute, free and discharged from any estate in or lien upon the same in favor of any person made a party to the proceedings hereinabove provided for, which deed shall not be subject to attack in any collateral proceeding, and shall be presumptive evidence of title in the grantee therein named in all courts and places and in any proceedings or actions to be by such grantee, his heirs or assigns, taken, prosecuted or defended, for the recovery of the possession of the lands so sold as aforesaid, or in the establishment or defense of his or her title under such deed; and the title shall not fail or be defeated by reason of any irregularity or formal defect in the proceedings under this act or in the

Failure to redeem, collector to execute deed to purchaser.

levying or assessing of the tax or assessment to enforce which said sale is made; *provided, only*, that the lands so sold shall, at the time such tax or assessment was levied or imposed, have been liable to the imposition of such tax or assessment.

When township becomes purchaser, entitled to deed for lands.

7. The town, borough or township may become the purchaser in its corporate name at any sale of lands under this act, to the same effect as any other purchaser, and at the expiration of the period for redemption shall be entitled to a deed for the lands purchased by it, and in all cases where such lands shall be bought by the town, borough or township under this act, it shall be lawful for the township committee or other governing body to sell and assign the certificates of sale, or to sell and convey such property, or any part thereof, by good and sufficient deed of conveyance; *provided*, that if sold at private sale, the price for which such lands shall be sold shall not be less than the amount due the town, borough or township thereon when purchased, including costs, with interest at the rate of seven per centum per annum.

Proviso.

Not necessary to set out proceedings in deed.

8. It shall not be necessary to set out the proceedings under this act at length in the deed for the lands sold, but a general statement therein that such deed was made and executed upon proceedings taken under the authority of this act shall be sufficient, and that no writ of certiorari shall be allowed, and no action shall be brought to contest or set aside any deed given pursuant to the provisions of this act, or to recover possession of the lands conveyed by such deed, after the expiration of two years from its date; that the town, borough or township collector in addition to the description contained in the record of such tax or assessment, shall describe said lands by metes and bounds, if he shall have ascertained the same.

When purchasers entitled to immediate possession.

9. The purchaser at any such sale, his heirs or assigns, shall be entitled to the immediate possession of the lands purchased by him, upon the delivery of the certificate of sale to him, as hereinbefore provided.

Moneys received to be held until expiration of time of redemption.

10. All moneys received upon sales in pursuance of this act shall be held by the borough, town or township collector until the expiration of the time for redemption

herein provided for, and thereupon the surplus, if any, remaining in any case, after deducting the amount of taxes, assessments, interest, costs and disbursements due to the town, borough or township, shall be paid over by the collector to the clerk of the circuit court of the county, subject to the further order of said circuit court.

11. The conveyance of lands pursuant to the provisions of this act shall convey the same free and clear from any estate or right of dower, or of courtesy therein; *provided*, that notice shall have been given to the person having such estate of dower or right of courtesy in the manner provided by this act, and in case the first or Christian name of such person is unknown, such person may be made party to the proceedings by using in the case of a dowress the name of the husband with the prefix "Mrs." and where the title is in the wife the prefix "Mr." before the surname of the wife, followed by the words "husband of," using the name of the wife; *and provided*, that proof of inquiry for such first or Christian name shall be presented to the court on the return day of the order to show cause.

12. That the town, borough or township counsel or attorney shall make or have made the necessary searches, and serve or have served the necessary notices provided for in this act, for which service he shall be paid at the rate of one dollar for each notice served, and the fees for such searches and notices shall be ordered paid to him by the township committee or other governing body from time to time, upon his filing a statement, under oath, of the amount due him for such services.

13. That the town, borough or township committee or other governing body may include in any one petition one or more tracts of land; the collector may include in one advertisement one or more tracts of land and the circuit court may make one or several orders thereon, as it may deem most likely to facilitate the purposes of this act, and said circuit court shall have power to adopt such rules of procedure as it may think proper to carry out the intent thereof.

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

Conveyances to be free from estate or right of dower.

Proviso.

Proviso.

Fees for searches and notices; to whom paid.

Petition and advertisement may include one or more tracts.

Court to adopt rules.

Repealer.

Proviso.

provided, that nothing herein contained shall be construed so as to extend the lien of unpaid taxes beyond the time now limited by law.

Approved March 30, 1896.

CHAPTER 144.

An Act relating to the carrying of freight or express matter by companies owning, leasing or operating street railways.

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

Unlawful to carry freight or express matter.

1. It shall not be lawful for any traction or other company or companies owning, leasing or operating street railways or railroads operated as street railways, whose tracks are located upon and run in and along any street or streets, road or roads, of any city, town, borough, village, township or other municipality in this state to carry over its or their tracks any freight or express matter; *provided, however*, that this act shall not prevent such companies from carrying supplies for their own use; *and provided, however*, that this act shall not apply to any such company or companies which may now be lawfully engaged, or has heretofore been lawfully engaged, in the carrying of freight or express matter.

Proviso.

Proviso.

Penalty for violation of act.

2. Any corporation or person violating the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall, in the case of a corporation, be punished by a fine not exceeding one hundred dollars for each offense, and in case of an individual, in which terms shall be included any officer of a corporation under whose direction or by whose acquiescence or with whose knowledge the offense shall have been committed, shall

be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding six months, at the discretion of the court.

3. All acts and parts of acts, both general or special, inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved March 30, 1896.

CHAPTER 145.

An Act in relation to repairs of roads suddenly destroyed.

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

1. In case of the sudden destruction by storm of any road or any part of any road which has been improved by the board of chosen freeholders of any county under the laws of this state, the said board of freeholders may, by the affirmative votes of four-fifths of all its members, order and cause said road or part of said road to be rebuilt, repaired and put in a safe and convenient condition for travel, and may borrow money for that purpose in anticipation of the next tax levy; and in the next tax levy there shall be incorporated a special appropriation, under the head of "debt and interest—special deficiency for roads," to pay such temporary loan to meet such emergency; *provided always, however,* that if the aggregate amount of money required to rebuild, repair and put in a safe and convenient condition any of said roads or parts of said roads suddenly destroyed as aforesaid in any county within any one year shall exceed the sum of twenty thousand dollars, the board of chosen freeholders may, by the affirmative votes of four-fifths of all its

Board authorized to rebuild, repair roads or parts of roads.

May borrow money.

Proviso.

members, issue bonds to the aggregate amount required to rebuild, repair and put in a safe and convenient condition for travel any road or part of any road destroyed as aforesaid, which bonds shall be made payable at such periods of time not exceeding twenty years from the date of their issue, and bear such rate of interest not exceeding six per centum per annum, and be issued in such denominations of not more than one thousand dollars each, and be either coupon or registered bonds, as the said board of chosen freeholders shall by resolution determine.

Bonds not to be
sold for less
than par.

2. The bonds issued in pursuance of the above-granted power may be sold, either at public or private sale, for the best price which can be obtained for the same, but not for less than the par value thereof; and all the real estate and property within the county shall be liable for the payment of the principal and interest that may become due upon the bonds issued by authority of this act.

3. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 146.

An Act to amend an act entitled "An act authorizing any town, township or borough, or part thereof, containing a population exceeding five thousand inhabitants, to be incorporated as a city, after a vote of the people, and providing for the government and powers of such cities," approved March twenty-second, one thousand eight hundred and ninety-five.

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:

11. The annual city election shall be held on the second Tuesday in April in each year, between the hours of seven o'clock in the morning and seven o'clock in the afternoon, at the place or places in each ward designated by the council, in the same manner and under the same regulations in all things as is prescribed by law for election of members of the general assembly of this state; notice of the time and place or places of such election and of the officers to be chosen shall be given by the city clerk at least two weeks before the day of election, by publication in one or more newspapers of the city, and if there be none, by publication in at least one newspaper published in the county in which the city is situated and generally circulating in the city; no person shall be permitted to vote at any such election unless he is an actual resident of the election district in which he offers his vote; immediately after the polls shall be closed at any such election the election officers of each election district shall count the votes given for the several candidates, and certify under their hands the

Time of holding annual city election.

Duties of city clerk.

Duties of election officers.

number given for each, and publicly announce the same; and within twenty-four hours thereafter they shall deliver one such statement to the judge or inspector, who shall be delegated to attend the meeting of the board of city canvassers, and one to the city clerk and one to the county clerk, to be by them filed in their respective offices.

2. Section twenty-seven of said act be amended so as to read as follows :

Term of office
of councilmen.

Annual meeting
for organization.

27. The councilmen from the several wards shall constitute the city council; they shall be elected for two years, except as hereinbefore provided in cities having over ten thousand inhabitants; they shall meet annually for organization on the first day of May, unless that day shall fall on Sunday, in which case they shall meet on the day preceding; they shall elect one of their own number chairman by a majority vote, whose duty it shall be to preside over all meetings of the city council, and in his absence the council may elect a chairman pro tempore; a majority of the whole number of councilmen shall constitute a quorum for the transaction of business, but a smaller number may meet and adjourn from time to time; the city council shall hold stated meetings at least once in each month, at the city hall (or if there be none, at such place within the city as they may appoint by resolution) at such time as may be appointed; they shall determine and establish the rules of their own proceedings, and pass ordinances, by-laws and resolutions pertaining to the purposes and objects of the corporation as may be necessary for properly carrying out the provisions of this act; the mayor or chairman of the city council shall each have power to call special meetings of the council when necessary, and in case of their neglect or refusal to do so, it shall be lawful for any three members of such council to call any special meeting by written or printed notice to each member, served personally or left at their places of residence at least twenty-four hours previous to the time appointed for such meeting.

3. This act shall take effect immediately.

Approved March 30, 1896.

CHAPTER 147.

An Act to amend an act entitled "A further supplement to an act entitled 'An act to regulate elections,'" approved April eighteenth, one thousand eight hundred and seventy-six, which supplement was approved March twenty-fifth, one thousand eight hundred and ninety-five.

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

1. Section ten of the act above mentioned, being chapter number 333 of the laws of one thousand eight hundred ninety-five, be and the same is hereby amended to read as follows :

10. The services rendered and expenses incurred by any officer or person duly authorized in carrying out the provisions of this act, and not herein provided for, shall be regarded as election expenses, and shall be paid and defrayed by the respective counties and municipalities in the same manner as other election expenses and services are now paid for and discharged; *provided*, however, that nothing herein contained shall be construed as permitting compensation to any election agent or challenger, and the board of freeholders in each county shall include in their annual tax-levy a sum sufficient to pay all the election expenses, including the compensation of the district boards of registry and election, and a reasonable compensation for the services of the county board of elections the amount of which shall be determined by the board of chosen freeholders; *provided*, that the member of said county board of elections who shall be the secretary thereof may receive an additional compensation not exceeding one-third of the compensation of the individual members of said board, except in counties of the first class, where there shall be a clerk of said board who shall

Services and expenses; by whom and how paid.

Proviso.

Proviso.

receive such compensation as shall be fixed by said board of freeholders.

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 March 30, 1896.

CHAPTER 148.

A Further 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-eighth, one thousand eight hundred and ninety-one.

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

Boards authorized to purchase lands for public parks.

1. The boards of street and water commissioners in cities of the first class in this state shall have power and authority to purchase lands for public parks therein, provided that before said purchase the board or body having charge and control of the finance of any such city shall concur in the same.

Lands may be acquired by condemnation if board and owners cannot agree.

2. When such boards of street and water commissioners shall deem it proper to acquire certain land for the purposes aforesaid and the said board or its agents cannot agree with the owner or owners of such land as to the price and terms of the purchase thereof, or when by the legal incapacity or absence of such owner or owners no agreement can be made for the purchase

thereof, it shall be lawful for said city to acquire the title by condemnation under the provisions of an act entitled "An act to empower cities to acquire land for public use by condemnation," approved March seventeenth, one thousand eight hundred and ninety-one, provided that no application or proceeding shall be instituted for that purpose except by and with the consent of the board or body having charge and control of the finances of such city.

3. The board having control of the finances of any city shall have power to borrow so much money as may be necessary for the purchase and acquirement of lands for the purpose mentioned in the first section of this act and for the laying out and improvement of the same, and issue the obligations of the city therefor, bearing interest at the rate not exceeding five per centum per annum, in an amount not exceeding one hundred thousand dollars, and make the same payable at such time and times as said board shall determine; and said board shall establish a sinking fund for the payment of said bonds.

Boards may
borrow money
and issue bonds.

Amount.

4. This act shall take effect immediately.
Approved March 30, 1896.

CHAPTER 149.

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

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

Boards of election to hold meetings at places designated by clerks.

1. The several boards of registry in this state shall hold their several meetings for organization, making, revising and correcting the list of voters in any election district, as required by the act to which this is a supplement, at such place or places as shall be designated by the clerk of any such township, city or municipality.

Clerk may cause building to be constructed in street.

2. If in the judgment of the clerk of any township, city or municipality the place designated for holding the meetings of the board of registry shall not be of sufficient size, or if for any other reason it shall, in the judgment of said clerk, be inadvisable to hold the elections succeeding the said registry of voters in the building designated for holding the meetings of the board of registry then it shall and may be lawful for such clerk to cause a building to be constructed in the street, outside the curb line, immediately in front of or as near as possible to said place of meeting of such registry board, in which shall be constructed the booths required by the provisions of the act to which this is a supplement.

Repealer.

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

Approved March 31, 1896.

CHAPTER 150.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a system of public instruction'" (Revision), approved March twenty-seventh, one thousand eight hundred and seventy four, which amendatory act was approved May twenty-fifth, one thousand eight hundred and ninety-four.

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

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

8. Section eighty-one of said act is hereby amended so as to read as follows :

81. It shall be the duty of the county superintendent of each county, on or before the fifteenth day of May, annually, to apportion to the districts of his county the state school moneys, together with the interest of the surplus revenue belonging to said county, in the following manner :

I. He shall apportion to each district a sum equal to two hundred dollars for each teacher employed in the public schools in such district for the full time for which the schools in such district were maintained during the year next preceding such apportionment; *provided*, that when in the judgment of a majority of the board of education of any school district, any school within the district has needed and does need an additional teacher a portion only of the school year, the time to be determined by said board, and be not less than four school months, and said board shall certify the same to the county superintendent on or before the first day of April in each year, and the county superintendent shall thereupon further apportion to such district the sum of eighty dollars for every additional teacher thus certified to be

County superintendents to apportion school moneys.

Amount.

Proviso.

needed, but said additional apportionment shall not be made to any district in which an additional teacher as aforesaid has not been employed for the term of four months in the year preceding that for which the apportionment is made.

Remainder of moneys; how apportioned.

II. He shall apportion to each district the remainder of the school moneys belonging to his county on the basis of the last published school census.

Boards of education may divide district into precincts.

2. The board of education of any school district acting under the provisions of this act, and which district is not divided into wards, may divide said school district into eight precincts, which precincts shall be, as nearly as may be, equal in population, and in the formation of said precincts they shall be so constituted that each of said precincts shall contain at least one school-house unless said district contains less than eight school buildings, and hereafter upon the expiration of the term of office of a member of a board of education now in office, his successor shall be nominated from one of said precincts which now has no representation on the board of education, and thereafter, upon the expiration of the term of a member of the board of education, his successor shall be nominated from the same precinct in order that each of said precincts may at all times be represented on the board of education; and there shall also be one member at large nominated from the school district; *provided*, that whenever any district has heretofore or may hereafter vote to reduce the number of members of the board of education to either three or five, the board of education shall immediately re-arrange said precincts so that the number of precincts shall be one less than the number of members of the board of education of said district, so that there shall at all times be a member of said board of education from each of said precincts and one at large, and said members shall be elected at the same time and in the same manner as is now provided by law.

Proviso.

Legal voters may authorize boards of education to issue bonds to purchase lands, etc.

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

19. It shall and may be lawful for the legal voters, either at the annual meeting or at a special meeting called for that purpose, by the consent of a majority of

those present, to authorize the board of education, for the purpose of purchasing land for school purposes or for the purpose of building a school-house or school-houses, or making additions, alterations, repairs or improvements in or upon such school-house or school-houses already erected, and the lands upon which the same are located, and for the purchase of school-furniture, to issue bonds of the district in corporate name of the district in such sums and in such amounts and payable at such times as the legal voters so met may direct, with interest at a rate not exceeding six per centum per annum, payable half-yearly; which bonds shall be signed by the president of the board of education and attested by the district clerk, and shall bear the seal of the district, and said 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 bond to which they are attached; and any bonds so issued shall be numbered and a proper registry thereof kept by the district clerk; and such bonds may be sold at public or private sale for the best obtainable price, but not less than par; said bonds shall be a lien upon the real and personal estates of the inhabitants of the district, as well as the property of the district, and the property of the inhabitants, as well as the property of the district, shall be liable for the payment of the same; and in all cases copies of all papers and proceedings authorizing the issue of such bonds shall be submitted to the attorney-general for his approval of the legality of the same, and duplicate copies of such papers and proceedings shall be sent to the state superintendent of public instruction.

4. Every district organized and acting pursuant to the provisions of the act to which this is an amendment, be and the same is hereby validated and confirmed as a legal school district, in accordance with and pursuant to the terms of the act to which this is an amendment, and all the official acts of boards of education or trustees of such school districts be and the same are hereby confirmed and legally established, as fully and to the same effect as if this amendment had not been passed, and

Districts validated.

Acts of boards of education confirmed and established.

that all obligations, debts and bonds incurred or issued by or on behalf of school districts organized under " the act mentioned in the title of this act, entitled " An act to establish a system of public instruction " (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four, and all acts amendatory thereof or supplementary thereto, are hereby declared to be the legal obligations, debts and bonds of such school district.

Repealer.

5. Section twenty-seven of the act to which this is an amendment, and 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, 1896.

CHAPTER 151.

A Supplement to "An act making appropriations for the support of state government and for several public purposes for the fiscal year ending October thirty-first, one thousand eight hundred and ninety-six," approved June twenty-fifth, one thousand eight hundred and ninety-five.

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 eight hundred and ninety-six.

Appropriations
for supplying
deficiencies.

STATE HOSPITALS.

For deficiency in appropriation for maintenance of county patients in the state hospital at Trenton, forty-two thousand seven hundred dollars;

State hospitals.

For deficiency in appropriation for support and clothing of insane convicts, at the rate of five dollars per week for each insane convict, at the state hospital at Trenton, one thousand dollars;

For deficiency in appropriation for maintenance of county patients in state hospital at Morris Plains, three thousand dollars;

For support and clothing of indigent patients in the state hospital at Morris Plains, two thousand three hundred and seventy-five dollars;

For secretary of the board of managers of the state hospitals, for expenses incurred from March sixth, one thousand eight hundred and ninety-five, to November thirteenth, one thousand eight hundred and ninety-five, one hundred and seventy-three dollars and six cents;

For deficiency in appropriation for medical examination of insane convicts, forty dollars.

COUNTY LUNATIC ASYLUMS.

County lunatic
asylums.

For the support of county patients in the Passaic county lunatic asylum, from April first, one thousand eight hundred and ninety-four, to September thirtieth, one thousand eight hundred and ninety-five, six thousand twenty-two dollars and fifty-two cents;

For deficiency in appropriation for the support of county patients in the following county lunatic asylums:

In the Atlantic county lunatic asylum, two thousand six hundred and sixty dollars;

In the Essex county lunatic asylum, five thousand dollars;

In the Hudson county lunatic asylum, two thousand dollars;

In the Passaic county lunatic asylum, three hundred dollars.

BLIND AND FEEBLE-MINDED.

Blind and
feeble minded.

For deficiency in appropriation for clothing, maintenance, support and instruction of the blind and feeble-minded persons, inhabitants of this state, sixteen thousand dollars;

For deficiency in appropriation for maintenance, support and instruction of feeble-minded women, three thousand dollars;

For deficiency in appropriation for the trustees of the New Jersey state industrial school for girls, for the support of and necessary repairs to the school, five hundred dollars.

STATE REFORMATORY.

State
reformatory.

For appropriation pursuant to chapter three hundred and fifty-seven of the laws of one thousand eight hundred and ninety-five, fifty thousand dollars.

JUDICIARY.

Judiciary.

For deficiency in the appropriation for salaries for judges of the circuit courts, four thousand nine hundred and seventy-nine dollars and forty-five cents.

OFFICE OF THE CLERK IN CHANCERY.

For the clerk in chancery for salary, three thousand five hundred and thirty-two dollars and eighty-eight cents; Clerk in chancery.

For compensation for clerical service in the office of the clerk in chancery, fourteen thousand nine hundred dollars;

For deficiency in the appropriation for blanks and stationery for use in the office of the clerk in chancery, nine hundred and fifty dollars;

For postage, expressage and other incidental expenses for the office of the clerk in chancery, five hundred and twenty-five dollars;

For deficiency in appropriation for compensation of stenographers, court of chancery, one thousand dollars;

For deficiency in appropriation for compensation and allowance of advisory master, court of chancery, one thousand dollars;

For mileage for judges of the court of pardons, eleven hundred dollars;

For expenses incurred in the matter of the Supreme Court vs. John W. Wortman, pursuant to the provisions of chapter one hundred and fifty-nine of the laws of one thousand eight hundred and ninety-five, six hundred and forty-five dollars and seventeen cents;

For deficiency in the appropriation for salaries for vice Vice chancellors. chancellors, five thousand two hundred and fifty dollars.

CLERK OF THE SUPREME COURT.

For expenses incurred by the clerk of the supreme court for compiling and indexing the old records of the court, one thousand dollars. Clerk supreme court.

NATIONAL GUARD.

For military expenses incident to the signal and telegraph corps, pursuant to chapter three hundred and sixty-nine of the laws of one thousand eight hundred and ninety-five, three hundred dollars; National guard.

For maintaining heating and lighting the armories in Paterson and Jersey City until November first, one thousand eight hundred and ninety-six, twenty-five hundred dollars for each armory, five thousand dollars;

For extension and repairs to buildings at the state camp grounds, four thousand dollars, which sum is hereby transferred from the appropriation of nineteen thousand four hundred dollars for new uniforms in the act to which this act is a supplement.

CAMDEN ARMORY.

Camden armory. For the purpose of erecting an armory in the city of Camden, pursuant to chapter one hundred and eighty-two of the laws of one thousand eight hundred and eighty-eight, and supplements thereto, forty-five thousand dollars.

NAVAL RESERVE—BATTALION OF THE WEST.

Naval reserve. For maintenance of vessel, tools and supplies, one thousand two hundred and twenty-five dollars;
 For repairs to vessel, nine hundred and fifty dollars;
 For transportation of divisions to vessel, five hundred dollars;
 For pay of ship-keeper, six hundred dollars;
 For pilotage, one hundred dollars;
 For traveling expenses of officers on instruction duty, three hundred and fifty dollars.

BATTALION OF THE EAST.

For maintenance of vessel, tools and supplies, two thousand six hundred and seventy-five dollars;
 For repairs to vessel, one thousand seven hundred dollars;
 For transportation of divisions to vessel, five hundred dollars;
 For pay of ship-keeper, six hundred dollars.

BLANKS, STATIONERY AND OTHER INCIDENTAL EXPENSES.

Blanks, stationery, etc. For deficiency in appropriations for blanks, stationery, postage, expressage and other incidental expenses of the governor, secretary of state, comptroller, treasurer,

attorney-general, adjutant-general, quartermaster-general, commissioner of banking and insurance, state board of assessors and the state board of taxation, three thousand dollars.

FREE SCHOOL LIBRARIES.

For deficiency in appropriation for the formation of libraries in the free public schools in this state, one thousand dollars. Free school libraries.

POLITICAL AND LEGISLATIVE HISTORY OF NEW JERSEY.

For William Edgar Sackett, for three thousand copies of a political and legislative history of this state, for distribution among the public school libraries of this state, pursuant to the provisions of chapter one hundred and seventy of the laws of one thousand eight hundred and ninety-four, at one dollar and fifty cents per copy, the sum of four thousand five hundred dollars. Political history of New Jersey.

STATE PRISON.

For the purchase of furniture and appliances for new cell-house, hospital, cook house and chapel, ten thousand dollars. State prison.

PALISADE COMMISSION.

For expenses incurred by the commissioners while in the discharge of their duties, one thousand dollars. Palisade commission.

STATE CANVASSERS.

For per diem and mileage of the board of state canvassers in canvassing the vote for governor, for compensation of sergeant-at-arms and for tabulating and preparing statements for said board, one hundred and forty-three dollars and fifty cents. State canvassers.

OBSTRUCTIONS TO NAVIGATION.

For expenses incurred in removing any boat, barge or scow stranded or sunk in any of the navigable rivers of this state, five hundred dollars. Obstruction to navigation.

DISABLED SOLDIERS.

Disabled
soldiers.

For transportation furnished disabled soldiers to the home for disabled, at Kearny, fifteen dollars.

EMERGENCY.

Emergency.

For the governor to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, the sum of ten thousand dollars, said sum, or any part thereof, to be paid by the treasurer on the warrant of the comptroller upon accounts approved by the governor.

CONTESTED ELECTIONS.

Contested
elections.

For the expenses of the contested election case between Jacob C. Lippincott and William J. Thompson, as follows:

To Harry G. Vliet, two hundred dollars;
 To the estate of Gideon Burt, forty-eight dollars;
 To Warren Thompson, three dollars;
 To Lorenzo Stone, thirty dollars;
 To Theodore Brown, fourteen dollars and forty-five cents;
 To Edward J. Kirk, three hundred dollars;
 To Edward Gardiner, thirty dollars;
 To George A. Wynkoop, fifty dollars;
 To David A. Miller, seventy-eight dollars.

AGRICULTURAL EXPERIMENT STATION.

Agricultural
experiment
station.

For an investigation of the San Jose scale and its natural enemies, one thousand dollars.

TRENTON BATTLE MONUMENT.

Trenton battle
monument.

For the Trenton Battle Monument, six thousand six hundred dollars.

COMMISSIONERS TO CHATTANOOGA AND CHICKAMAUGA
NATIONAL MILITARY PARK.National
military park.

For the commissioners for balance of expenses and services of a secretary, five hundred dollars.

OFFICE OF THE SECRETARY OF STATE.

For deficiency in the appropriation for incidental expenses, for the balance due for compiling, revising and adjusting, indexing, et cetera, the general laws of the state of New Jersey, concerning steam and street railroads, one hundred dollars;

Office of
secretary of
state.

For compiling and indexing the corporation laws of one thousand eight hundred and ninety-six, two hundred and fifty dollars;

For compiling and indexing the election laws, two hundred and fifty dollars.

OYSTER COMMISSION.

For the purpose of promoting the propagation of seed oysters on the natural oyster beds in this state, seven thousand four hundred and fifty dollars.

Oyster
commission.

PRINTING.

For deficiency in appropriation for printing and binding public documents, ten thousand dollars.

Printing.

For copies of the corporation laws, twelve hundred dollars.

2. The following sum, or so much thereof as may be necessary, be and is hereby appropriated out of the income of the school fund:

For deficiency in the appropriation for necessary expenses of the state board of education, one thousand dollars.

BOARD OF FISH AND GAME COMMISSIONERS.

For the payment of services and expenses of fish and game wardens from March twenty-second, one thousand eight hundred and ninety-five, to April fifteenth, one thousand eight hundred and ninety-five, to the following named persons:

Fish and game
commissioners.

Edward Hill, Warren county, fifty-four dollars and twenty-five cents;

William Guthridge, Camden county, seventy-two dollars;

James Hunt, Camden county, seventy-two dollars;

Gus Hilton, Cape May county, forty-eight dollars;
 B. F. Densten, Gloucester county, sixteen dollars;
 C. L. Honeyman, Somerset county, thirty-three dol-
 lars and sixty-five cents;
 Charles B. Platt, Gloucester county, twenty-five dol-
 lars and thirty-five cents;
 William Lawrence, Salem county, fifty dollars;
 John R. Riley, Essex county, forty-one dollars and
 twenty-five cents;
 H. W. D. White, Salem county, fifty-eight dollars.
 Approved April 9, 1896.

CHAPTER 152.

An Act authorizing certain cities of this state to enter into contracts with railroad companies, granting them the right to lay tracks upon the roads or streets of said cities upon such terms and conditions as may best promote the interests of said cities and ratifying and confirming such contracts made.

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

Municipalities
 may enter into
 contract
 granting rights
 to lay and
 construct tracks.

1. The proper municipal authorities respectively of any city of this state, except cities of the first class, be and they are hereby authorized and empowered to enter into contracts with any of the railroad companies whose roads now enter or lie within their cities respectively or whose routes have been located therein, granting the said railroad companies or any of them the right to lay their road and construct their tracks in, through, along and upon any of the roads or streets of said cities, upon such terms and conditions as to the maintenance of crossings, the regulation of speed of trains and the payment of such consideration as in the judgment of such municipal authorities respectively may be best adapted to promote the interests of said cities respectively, and

for that purpose shall have power to do all such acts as may be necessary and proper effectually to carry out such contracts; and any such contracts heretofore or hereafter made by said cities or any of them with any railroad company or companies as aforesaid are hereby fully authorized, ratified and confirmed; *provided*, that hereafter no road shall be laid or track constructed in, through or upon any of said roads or streets other than such as have been authorized by any such contract heretofore made until said railroad company shall have acquired the rights of the abutting owners on said road or street, either by agreement, purchase or condemnation proceedings.

Proviso.

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

Approved April 9, 1896.

CHAPTER 153.

An Act relating to the formation of towns and cities.

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

1. No town or city shall be incorporated in this state except by special act of the legislature, and every town or city so incorporated shall be governed by the general laws of this state relating to towns or cities respectively.

Special acts for incorporation of towns and cities.

2. This act shall repeal every provision of any general law of this state so far as the same is inconsistent herewith, and shall take effect January first, one thousand eight hundred and ninety-seven.

Repealer and when act to take effect.

Approved April 9, 1896.

CHAPTER 154.

An Act respecting arrears of taxes and assessments in towns, townships and boroughs, and sales for such arrears.

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

Governing
bodies may
make abatement,
adjustment, &c.,
in arrears of
taxes, &c.

1. It shall be lawful for the council or township committee or other governing body of any town, borough or township in this state to make such abatement, revision, alteration, adjustment and settlement of arrears of taxes and assessments, including all sales for arrears of taxes or assessments where the town, borough or township, or any office for the use thereof has become the purchaser, both of principal and any and all interest, penalty and costs thereon as such council or township committee or other governing body shall deem just and equitable; and to make, execute and deliver, or to cause to be made, executed and delivered, such deed, release or other instrument as may be necessary to give effect to such abatement, revision, alteration, adjustment or settlement; *provided, however,* that the provisions of this act shall not in any wise impair or affect the interest or any lien of any purchaser, other than such town, borough or township, acquired under any sale made for arrears of taxes or assessments; *and, provided further,* that nothing in this shall apply to any taxes or assessments levied or made within two years prior to the passage of this act.

Proviso.

Proviso.

Duties of
collectors of
taxes.

2. It shall be the duty of the collectors of taxes, or other officer or officers charged with the collection of arrears of taxes or assessments, upon receiving a certified statement of the amount which the council or township committee shall have agreed to accept in full satisfaction of such taxes or assessments, or either of them, or of such tax or assessment sales, to receive and accept

the amount therein mentioned in full satisfaction of such taxes and assessments and sales, and to give a receipt for the amount paid in satisfaction thereof to the person paying the same, which receipt, accompanied by such statement, shall be sufficient evidence of the payment of such taxes and assessments, and upon presentation of the same to the clerk of the county he shall satisfy the tax or assessment record in his office (if any there be) relating to unpaid taxes and assessments, or either or both of them, so far as relates to the payment of the said tax or assessment.

3. This act shall not be operative unless the owner or owners of property in arrears or sold as aforesaid shall apply for a reduction or settlement of their tax, taxes, assessment or assessments, or a release or releases from a sale or sales thereunder within one year from the passage of this act, and in case any reduction shall be made as aforesaid, default in the payment of the full amount which the council or township committee shall have agreed to accept in full satisfaction as aforesaid for the period of sixty days shall render inoperative and void all the proceedings had under such application.

4. This act shall take effect immediately.

Approved April 9, 1896.

Act not
operative until
owners apply
for reduction
or release from
sale.

CHAPTER 155.

An Act to provide a method of procedure for the condemnation of lands required for public highways or sewers, and providing for the payment of the expenses thereof, in towns, villages, and in municipalities governed by a board of commissioners or improvement commissions.

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

1. In any town, village, or in any municipality governed by a board of commissioners or improvement

Municipalities
may award
owners
compensation
for lands.

commission, wherein the governing body now has or hereafter may have authority to lay out, open, widen, alter and vacate any road, street or avenue, and to locate and construct sewers, and having power for such purposes to acquire lands, buildings, erections or parts thereof, or any easement, right or estate therein, by purchase or condemnation, the said governing body, in case condemnation proceedings shall be necessary, shall award to the owner or owners of any such lands, buildings or improvements just compensation therefor; before fixing such compensation, however, the said governing body shall give to such owner or owners notice, as hereinafter provided, of the time and place of their meeting to make such award, to the end that such owner or owners may have full opportunity to be heard upon the question of the value of the said lands, buildings or improvements; the award of compensation shall be final, unless such governing body reconsider the same and make a new award, or unless said owner or owners, within twenty days after notice of the amount fixed as compensation for said lands, buildings or improvements, shall, on two days' notice to such governing body, apply to the circuit court of the county wherein such improvement is located for the appointment of three disinterested freeholders, residing in such county, to review the award for the value of the lands, buildings and improvements to be taken and damages sustained thereby, whose report shall be made to said court within twenty days from and after their appointment, unless further time to make such report shall be allowed by said court, and upon the confirmation by said court of such report and award so made as aforesaid by said freeholders the same shall be final and conclusive, unless either party shall, within ten days after confirmation of said report, appeal to the circuit court of the county, which is hereby invested with full power to direct an issue and try such appeal by jury, and to make such order as may be necessary therein; such award shall bear interest at the rate of five per centum per annum from the date of making the same until paid; and the said court shall, by its order, determine the compensation of said three freeholders, and direct by whom said compensation shall be paid, and in case of a trial of an

Notice
to be given.

Award final
unless
reconsidered or
owners apply to
circuit court for
appointment of
commissioners.

Report of
commissioners.

Award to bear
interest.

appeal from the report and award by such freeholders, direct by which party the costs thereof shall be paid, or what proportion thereof shall be borne by each party, as the circumstances of the case may warrant.

Costs
how paid.

2. Ten days' written notice shall be given by the said governing body to the owner or owners of any lands, buildings or improvement sought to be taken, of the time and place of the meeting of said governing body to make such award, to the end that said owner or owners may have full opportunity to be heard thereon; if said owner or owners are known and are residents of said municipality, the said notice shall be served personally or left at his or her abode with a member of the family above the age of fourteen years, and if said owner or owners are not known or are not residents of said municipality or their residence cannot be ascertained, then said notice shall be served by publication for two successive weeks once a week in a newspaper printed and published in the county and circulating in such municipality, and by mailing to said owner or owners a copy, postage prepaid, to their post-office address, if known.

Notice to owners
to be given of
meeting to
make award.

3. It shall not be lawful for the governing body of any such municipality to enter upon and take possession of any lands so taken until the compensation or damages awarded to the owner or owners aforesaid shall be paid or tendered; in case the party or parties entitled thereto shall refuse to receive such payment, or shall be out of the state, or under any legal disability, then payment of the amount to which such party may be entitled, to the clerk of the circuit court of the county wherein said lands may be situated, shall be deemed legal payment, there to remain until such time as said court may order said clerk to pay the same over to the person entitled thereto, his or her legal representatives.

Unlawful to take
possession of
lands until
award is paid
or tendered.

Payment may
be made to
clerk of court.

4. Nothing in this act contained shall be construed as permitting the establishment, construction or operation of any outlet, sewer or disposal works for sewage by any such municipality within or through the territory of any other municipality, except with the consent of the majority of the governing body of that municipality, nor to confer any right of condemnation for the purpose

Act
how construed.

of sewerage within the territory of another municipality, except subject to all conditions and limitations now established by law.

Repealer.

5. All acts or parts of acts inconsistent herewith be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 9, 1896.

CHAPTER 156.

A Supplement to an act entitled "An act providing for the licensing of dogs," approved March fifteenth, one thousand eight hundred and ninety-three.

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

May by ordinance fix amount of annual license fee to be paid by owners of dogs.

1. Instead of passing the annual resolution provided for by the first section of the act to which this is a supplement, any city or other municipality having power to pass ordinances may in its discretion pass an ordinance fixing the amount of the annual license fee to be paid by the owners of dogs; and when the fee is so fixed by ordinance it shall remain in force until such ordinance is altered or repealed, and no such annual resolution shall be necessary to fix the same.

License fee how assessed and collected.

2. The city or other municipality may prescribe that the license fees provided by said act may be assessed and collected either at the same time and in the same manner that other taxes are assessed and collected, or at such other time and in such other manner as the council or other governing body may provide by ordinance or resolution; and may in the same manner, by its council or other governing body, provide for the appointment of dog wardens or other agents to levy, assess and collect such license fees, and to register and tag dogs; and may provide for the compensation of such wardens or agents, and may appropriate and apply

Appointment of dog wardens.

said fees to any lawful purpose of the government of said city or municipality.

3. All ordinances heretofore passed providing for the assessing, collecting and appropriation of such license fees or taxes upon the owners of dogs, not inconsistent with this act, are hereby ratified, and license fees or taxes collected thereunder are declared to have been lawfully collected.

Ordinances
heretofore
passed
ratified, &c.

4. This act shall take effect immediately.

Approved April 9, 1896.

CHAPTER 157.

An Act to repeal an act entitled "A further supplement to an act entitled 'An act respecting the orphans' court and relating to the powers and duties of the ordinary and the orphans' court and surrogates,'" passed March fourteenth, one thousand eight hundred and ninety-five, and validating the acts of the orphans' courts.

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

1. The act above named being chapter 163 of the laws of one thousand eight hundred and ninety-five is hereby repealed, and all proceedings, orders and decrees taken and made in the orphans' courts in the several counties of this state are declared to have the same force and validity as if the act hereby repealed had not been passed.

Repealer.
Proceedings
validated.

2. This act shall take effect immediately.

Approved April 9, 1896.

CHAPTER 158.

An Act repealing sundry acts abolishing the inferior courts of common pleas, courts of oyer and terminer and courts of general quarter sessions of the peace, and establishing in their place county courts; and declaratory of the jurisdiction, powers and duties of the courts which were intended to be abolished by the acts hereby repealed.

Preamble.

WHEREAS, Certain acts of the legislature abolishing the courts named in the title of this act and establishing other courts in their place called county courts have been declared by the supreme court to be unconstitutional and therefore void, in consequence of which said county courts have never been organized and no judges thereof have been elected pursuant to said acts; but the courts which were intended to be abolished thereby and the judges thereof have continued to exercise all their jurisdiction, powers and duties as fully as though said acts had not been passed; and it is deemed advisable that said void acts should be repealed and that the jurisdiction, powers and duties of the courts intended to be abolished should be declared to exist and to have existed and their proceeding declared to be valid.

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

Acts repealed
and proceedings
declared valid.

1. Chapter CLXII of the laws of 1895, being an act entitled "An act to abolish the inferior courts of common pleas, courts of oyer and terminer and general jail delivery and courts of general quarter sessions of the peace, and to establish in their place a county court in each of the counties of this state, and to provide for and define the jurisdiction, powers and duties of such county courts," passed March fourteenth, one thousand eight hundred and ninety-five; that chapter CCCXXV of the laws of 1895, being a supplement to said act, which

supplement was approved March twenty-second, one thousand eight hundred and ninety-five; and that chapter CCCCXIX of the laws of 1895, entitled "An act to abolish the inferior courts of common pleas, courts of oyer and terminer and general jail delivery and courts of general quarter sessions of the peace, and to establish in their place a county court in each of the counties of this state, and to provide for and define the jurisdiction, powers and duties of such county courts," passed June thirteenth, one thousand eight hundred and ninety-five, are hereby repealed, and the courts so intended to be abolished are hereby declared to exist and to have existed with all their jurisdiction, powers and duties as if said repealing acts had never been passed, and all proceedings and judgments of said courts and the acts of the judges thereof are declared to have the same effect and validity as if said repealing acts had never been passed.

2. This act shall take effect immediately.

Approved April 9, 1896.

CHAPTER 159.

An Act respecting cities of the first class, and relating to the granting of licenses by the common council or other governing body therein.

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

1. It shall be lawful for the common council or other governing body in any city of the first class in this state, in its discretion, by ordinance, to delegate to its license committee or other committee to be appointed from the members of said common council or other body of said city having charge of the granting of licenses, the power and authority vested in such common council or other body by law to grant licenses in such city, and to ap-

Powers may be delegated by ordinances to license committee.

prove the bonds required to be given by persons receiving such licenses; and the act of the said committee to whom shall have been delegated power as herein provided shall be the act of the common council or other governing body of such city; *provided*, that this act shall not apply to the granting of licenses for the sale of spirituous, vinous or malt liquors.

Proviso.

2. This act shall take effect immediately.
Approved April 9, 1896.

CHAPTER 160.

A Supplement to an act entitled "An act to amend an act entitled 'A supplement to an act to authorize the establishment of free public libraries in this state,' approved April first, one thousand eight hundred and eighty-four," approved March twenty-first, one thousand eight hundred and ninety-five.

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

Act
how construed.

1. The provisions of the act to which this is a supplement shall be construed not to apply to cities in which the lands for the erection of a free public library have been donated to such city, and such city shall have the same power and authority to issue bonds for the erection of buildings on such lands under any act or acts existing prior to the passage of the act to which this is a supplement, as if the said supplement and amendments thereto had not been passed.

Repealer.

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

Approved April 9, 1896.

CHAPTER 161.

An Act to repeal "An act authorizing courts in this state to give the same force and effect to depositions taken stenographically by officers of such courts as if the same were signed by the witnesses," approved May ninth, one thousand eight hundred and ninety-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That an act authorizing courts in this state to give the same force and effect to depositions taken stenographically by officers of such courts as if the same were signed by the witnesses," approved May ninth, one thousand eight hundred and ninety-four, be and the same is hereby repealed. Repealer

2. This act shall take effect immediately.
Approved April 14, 1896.

CHAPTER 162.

An Act to protect shade, ornamental and fruit trees from injury by horses, mules and other animals.

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

1. No person shall hitch or tie any horse, mule, ox or other animal to any shade, ornamental or fruit tree which may have been planted or set out by the owner, prior owner or possessor of any lands adjoining any highway or road in this state, or hitch, or tie any horse, mule, ox or other animal to any post within reach of any such shade, ornamental or fruit tree, or allow any horse, mule, ox or other animal to stand unattended Unlawful to hitch or tie animals to trees.

near any shade, ornamental or fruit tree whereby any such tree may be injured by such animals.

Penalty for violation of act.

2. If any person shall offend against the provisions of the preceding section of this act, he, she or they so offending shall forfeit and pay the sum of ten dollars for each and every such offense whereby any such tree is injured or damaged, and for each and every offense whereby the tree is killed and ruined he, she or they so offending shall forfeit and pay the sum of twenty-five dollars, said sums to be recovered in an action of tort, with costs of the suit, in any court having cognizance thereof, by any person who may prosecute for the same within six months after such offense shall have been committed.

3. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 163.

An Act respecting policies of life insurance.

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

Lawful beneficiaries or representatives entitled to proceeds against creditors, &c.

1. When a policy of insurance is effected by any person on his own life, or on another life in favor of some person other than himself having an insurable interest therein, the lawful beneficiary thereof, other than himself or his legal representatives, shall be entitled to its proceeds, against the creditors and representatives of the person effecting the same; and the person to whom a policy of life insurance, hereafter issued, is made payable may maintain an action thereon in his own name; *provided*, that, subject to statute of limitation, the amount of any premiums for said insurance paid in fraud of creditors, with interest thereon, shall inure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with

Proviso.

its terms, unless, before such payment, the company shall have written notice by or in behalf of some creditor, with specification of the amount claimed, claiming to recover for certain premiums paid in fraud of creditors.

2. Every policy of life insurance made payable to or for the benefit of a married woman, or after its issue assigned, transferred or in any way made payable to a married woman, or to any person in trust for her or for her benefit, whether procured by herself, her husband or by any other person, and whether the assignment or transfer is made by her husband or by any other person, shall inure to her separate use and benefit, and to that of her children, according to the terms and provisions of the policy or assignment, subject to the above provisions relating to premiums paid in fraud of creditors.

Certain policies to inure to married women and children.

3. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 164.

A Supplement to an act entitled "An act concerning roads," 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. All parts of acts, general, special or private, requiring the authorities of any township in laying out public roads therein to lay the same parallel with the railroad tracks of any railroad company are hereby repealed. Repealer.

2. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 165.

An Act to make provision for lighting the state prison.

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

Board authorized
to contract for
lighting of state
prison.

1. The board of inspectors and the supervisor of the New Jersey state prison shall have power to make contracts from time to time for the proper lighting of the said prison, such contracts to be for such time and on such terms as in the judgment of the said officers the interests of the prison and of the state may require.

2. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 166.

An Act to amend an act entitled "A supplement to an act to provide for the purchase of sites for and the erection and equipment of armories in cities of the first and second class, and making appropriations therefor, and to provide for the taking of real estate for such sites by commission in case the same cannot be purchased by agreement," approved March twenty-third, one thousand eight hundred and eighty-eight, which supplement was approved May fifth, one thousand eight hundred and ninety.

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

Additional ap-
propriation for
armory.

1. The state military board are hereby authorized to contract for the construction of the Camden armory at a cost of thirteen thousand dollars above that contained

in the appropriation bills; *provided*, said amount shall not be paid until regularly appropriated. Proviso.

2. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 167.

An Act to compel the determination of claims to estates in remainder in certain cases and to quiet the title to the same.

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

1. When any person claims to be entitled to a vested estate in remainder in lands in this state or a remainder interest in personalty and his title thereto or to any part thereof is denied or disputed, or any other person or persons claims or is claimed to own the same or any part thereof or any interest therein or to hold any lien or encumbrance thereon, and no suit to which he is a party shall be pending to enforce or test the validity of such title, claim or encumbrance, it shall be lawful for such person or persons so claiming to be entitled to such estate or interest to bring and maintain a suit in chancery to settle the title to such estate or interest and to clear up all doubts and disputes concerning the same; the bill of complaint in such suit shall, where, or so far as, the same relates to lands, describe the lands with certainty, and shall state the manner in which and the sources through which the complainant's title is claimed to be derived, and where, or so far as, it relates to personalty, shall state the manner in which and the sources through which the title of the complainant is claimed to be derived, and shall name the person who claims or is claimed or reputed to have such title or interest in or encumbrance on said estate in remainder in said lands or remainder interest in said personalty, and shall call upon such person to set forth and specify his title, claim

Proceedings to determine claims to estate and to quiet title.

or encumbrance, and how and by what instrument the same is derived or created.

Subpœna to describe lands, &c.

2. With the subpœna in such suit there shall be issued a ticket to each defendant where, or so far as, the suit relates to lands, describing the lands with certainty and stating the manner in which and the sources through which the complainant's title is claimed to be derived, and where, or so far as, the suit relates to personalty, stating from whence the title of the complainant is derived, stating the object of the suit and that if the defendant claims any title or interest to or encumbrance upon said estate in remainder in said lands or remainder interest in said personalty, he is required to answer said bill, but not otherwise.

No decree for costs to be had in certain cases.

3. No decree for costs shall be had in such suit against any defendant who shall suffer a decree pro confesso against him or who shall answer, disclaiming all title to, interest in or encumbrance on, said estate in remainder in said lands or remainder interest in said personalty; but this court shall, in such cases, without further proof, decree that such defendant has no estate or interest in or encumbrance on said estate in remainder in said lands or remainder interest in said personalty or any part thereof, and any defendant who shall by answer, duly verified by oath, deny that he claims or ever has claimed or pretended to have any estate, interest or encumbrance in or upon said estate in remainder in said lands or remainder interest in said personalty or any part thereof, shall be entitled to his costs in said suit.

Answer of defendant, what to specify and set forth.

4. If any defendant shall answer claiming any estate, or interest in or encumbrance on said estate in remainder in said lands, or remainder interest in said personalty or any part thereof, he shall in such answer specify and set forth the estate, interest or encumbrance so claimed, and if not claimed in or upon the whole of said estate in remainder in said lands or said remainder interest in said personalty, he shall specify and describe the part in or upon which the same is claimed, and in either case shall set out the manner in which and the sources through which such title or encumbrance is claimed to be derived.

5. When issue shall be joined in said cause the court of chancery shall proceed to inquire into and determine such claims, interest and estate, according to the course and practice of that court, and shall upon such inquiry and determination finally settle and adjudge whether the defendant has any estate, interest or right in or encumbrance upon said estate in remainder in said lands or remainder interest in said personalty or any part thereof, and what such interest, estate, right or encumbrance is, and in or upon what part of said lands or personalty the same exists.

When issue is joined court of chancery to determine claim, &c.

6. The final determination and decree in such suit shall fix and settle the rights of all the parties in said estate in remainder in said lands or in said remainder interest in said personalty, and the same shall be binding and conclusive on all parties to the suit; but if any defendant to such suit shall either at the time of the decree pro confesso against him or at the final decree be an infant or non compos mentis, such party, his heirs or assigns, at any time within two years after the termination of such disability, may appear in said suit and apply for a rehearing, and thereupon such decree shall be opened as against such party and the cause may proceed as if no decree had been made in the same against him.

Decree to fix and settle rights, and to be conclusive.

Approved April 14, 1896.

CHAPTER 168.

A Supplement to an act entitled "An act to provide for the permanent improvement of public roads in this state," approved March twenty-second, one thousand eight hundred and ninety-five."

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

Board of free-
holders, upon
petition of
owners of lands,
may improve
roads, &c.

1. Whenever there shall be presented to the board of chosen freeholders of any county in this state any petition by the owners of lands praying the said board to cause any road or section thereof to be improved under the provisions of the act to which this is a supplement, it shall be the duty of such board of chosen freeholders, if they are satisfied that all the provisions and conditions of said act have been met and complied with in and by such petitions, to consider and to determine by a vote of a majority of all the members constituting said board whether the road or section mentioned in said petition is of sufficient general importance to warrant the expenditure of the county and state money for the improvement thereof; and said board of chosen freeholders is hereby authorized, by the vote of a majority of all the members constituting the said board, to grant the prayer of the said petition or to refuse the same if said board shall be of the opinion that the improvement is not of sufficient public importance or that the expense thereof will be an unnecessary public burden; *provided*, that this act shall in no way effect any proceeding heretofore taken to procure a mandamus in case of petition filed under said act.

Proviso.

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 April 14, 1896.

CHAPTER 169.

A Supplement to an act entitled "An act for the protection of certain kinds of birds, game and fish and to provide a procedure to recover penalties for the violation hereof," contained in Chapter CCLV of the laws of 1895, page 474, and approved March twenty-second, one thousand eight hundred and ninety-five.

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

1. Section four of said act be and the same is hereby amended so that henceforth said section four shall be and read as follows, to wit :

4. It shall be unlawful to capture, kill or injure or have in possession any hare, rabbit, quail (frequently called partridge), except only between the tenth day of November and the first day of January, inclusive, in each and every year, under a penalty of twenty dollars for each hare, rabbit, quail (frequently called partridge), so captured, killed, injured or had in possession. Section as amended.

2. Section five of said act be and the same is hereby amended so that henceforth said section five shall be and read as follows, to wit :

5. It shall be unlawful to capture, kill or injure or have in possession any woodcock except in the month of July, and also between the first day of October and the tenth day of December, inclusive, in each and every year, gray snipe (commonly called English or Wilson snipe), except only during the months of March and April and also the month of September in each and every year, ruffed grouse (frequently called partridge or pheasant), European pheasant, European partridge, European grouse, except only between the first day of October and the tenth day of December, inclusive, in each and every year, reed bird, rail bird (or marsh hen), excepting only the month of September in each and Section as amended.

every year, and gray, black or fox squirrels, except only during the month of September and also between the tenth day of November and the tenth day of December, inclusive, in each and every year, under a penalty of twenty dollars for each bird or squirrel so captured, killed, injured or had in possession.

3. Section six of said act be and the same is hereby amended so that henceforth said section six shall be and read as follows, to wit :

Section as amended.

6. It shall be unlawful to capture, kill or injure or have in possession any grass or upland plover or dove, except only during the months of August and September, in each and every year, under a penalty of twenty dollars for each and every bird so captured, killed, injured or had in possession.

4. Section fourteen of said act be and the same is hereby amended so that henceforth said section fourteen shall be and read as follows, to wit :

Section as amended.

14. It shall be unlawful to have in possession, sell, offer or expose for sale any of the game-birds or animals, the killing of which is prohibited by this act, or for the taking of which a close season is established in this act, excepting only in the seasons hereinbefore provided during which said game-birds or animals may be lawfully hunted and killed and within thirty days thereafter, under penalty of twenty dollars for each and every bird or other animal enumerated, so had in possession, sold, offered or exposed for sale.

5. Section thirty-one of said act be and the same is hereby amended so that henceforth said section thirty-one shall be and read as follows, to wit :

Section as amended.

31. It shall be unlawful at all times to remove or attempt to remove from this state any of the birds, game or fish, whose capture is prohibited or for which a close season is provided by any provision of this act; *provided, however,* that this section shall not apply to birds, game or fish which may have been captured during such periods as the provisions of this act make lawful for such capture, and that such removal shall not take place excepting within such periods; *and provided,* that this act shall not apply to common carriers carrying from beyond the confines of this state, in unbroken packages,

Proviso.

Proviso.

to some other point beyond the confines of this state, any such birds, game or fish; any person, persons or corporation found guilty of a violation of this section shall be punished by a fine of twenty dollars for each bird, game or fish so removed or attempted to be removed.

6. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 170.

An Act to make valid certain ordinances heretofore adopted by any of the board of public works in this state created under chapter one hundred and twenty-three of the public laws of the year one thousand eight hundred and ninety-two.

WHEREAS, doubts have arisen whether the respective boards of public works heretofore established in certain cities in this state by virtue of the act aforesaid had power before the adoption of a supplement to said act, that is to say, the twenty-eighth day of February, one thousand eight hundred and ninety-three, to adopt ordinances in relation to certain municipal matters usually appertaining to such boards; now, therefore, BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Preamble.

1. All ordinances adopted before the twenty-eighth day of February, one thousand eight hundred and ninety-three, by any board of public works created by virtue of chapter one hundred and twenty-three of the public laws of this state of the year one thousand eight hundred and ninety-two, and approved by the mayor of any such city wherein such board was established, in relation to the following objects, to wit: Making, altering and mending rules, regulations and ordinances to regulate, prevent and remove obstructions and incumbrances in and upon

Ordinances declared legal and valid

the streets and sidewalks and gutters thereof by the owners and occupants of the premises fronting thereon; regulating and preventing the throwing and depositing of ashes, offal, dirt, garbage and other refuse and material in the streets; regulating and preventing the erection and construction of any stoop, step, platform, cellar, area, sign, post or any obstruction or projection in, over and upon any street or avenue and to remove the same at the expense of the owner or occupant of the premises; providing for and regulating street improvements, cross-walks, curbstones, gutters and sidewalks; regulating and preventing the tearing-up of streets for the purpose of laying water, gas and sewer pipes and making house connections, gutters and sidewalks; regulating and preventing the tearing-up of streets for the purpose of laying water, gas and sewer pipes and making house connections therewith and the laying of conduits for electric wires; regulating the speed of vehicles and granting franchises and licenses relating to the use of streets, shall be and the same is hereby made legal and valid to all intents and purposes as if said board had undisputed power so to do; *provided*, that such ordinance is otherwise regular and in conformity to law.

Proviso.

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

Approved April 14, 1896.

CHAPTER 171.

A Supplement to an act entitled "An act respecting bridges," approved March twenty-fourth, one thousand eight hundred and seventy-four.

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

1. Whenever it shall be necessary to repair or rebuild any bridge or viaduct in this state over any navigable

Public authorities and others not liable for damages for obstructing navigation, &c.

river or water, the public authorities, corporation or person so repairing or rebuilding such bridge or viaduct shall not be liable for damages occasioned by obstructing or stopping navigation thereby; *provided*, the said repairs or rebuilding, obstructing or stopping of navigation be done between the first day of November and the first day of January; *and provided further*, that said repairs or rebuilding be prosecuted with all practical despatch; *and provided further*, that notice of such intended repairs or rebuilding be given at least three weeks prior to commencing the same by publishing a notice thereof in some newspaper circulating in the county adjacent to such bridge or viaduct; *and be it provided further*, that this act shall not apply to any navigable river or water where the depth of water of said river or water in the channel thereof where any bridge is now erected exceeds four feet and six inches at mean high tide.

Proviso.

Proviso.

Proviso.

Proviso.

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

Repealer.

Approved April 14, 1896.

CHAPTER 172.

An Act to amend an act entitled "A general act relating to factories and workshops, and the employment, safety, health and work hours of operatives," approved April seventh, one thousand eight hundred and eighty-five.

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

1. Section nine of the act to which this is a supplement be amended to read as follows:

9. Distinct and separate water-closets shall be provided for the use of male and female employees in all manufacturing, mercantile and mechanical establish-

Section as amended.

ments where persons of both sexes are employed; such closets to be so constructed as to secure absolute privacy.

2. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 173.

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

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

Penalty for
soliciting money
from candidates
and purchase of
tickets.

1. Any person who solicits from a candidate for any elective office any money or other property or who seeks to induce such candidate to purchase any ticket, card or other evidence of admission to any ball, picnic, fair or entertainment of any kind, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or by imprisonment for a period not exceeding six months, or both; *provided, however*, this act shall not apply to a request for a contribution by an authorized representative of the political party, organization or association of which such candidate is a member or by which he is nominated.

Proviso.

2. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 174.

A Supplement to an act entitled "An act concerning the making and collecting of assessments for benefits conferred by the construction of sewers and drains," approved February nineteenth, one thousand eight hundred and ninety-five.

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

1. The benefit assessments to be made pursuant to the act to which this act is a supplement shall be made by the board, commission or other body charged with the making of assessments for benefits conferred by the construction of sewers and drains in such city or other municipality, notwithstanding such sewer or drain has been constructed in whole or in part prior to the incorporation of such city or other municipality; and it shall be lawful for such board, commission or other body, whenever directed by the council or other governing body of such city or other municipality so to do, to assess the benefits conferred by the construction of any main, outlet, trunk or intercepting sewer or drain forming a part of a general system of sewerage or drainage for such city or other municipality (and for which no assessment has been made for benefits conferred or likely to be conferred by the construction of such main, outlet, trunk or other intercepting sewer) upon the lands benefited, or to be benefited, pursuant to the provisions of the act to which this act is a supplement.

Benefit assessments, by whom made.

Benefits for construction of sewers, drains, &c, by whom assessed.

2 This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 175.

An Act permitting the catching of catfish and eels by set lines and fish baskets, and fish weirs or eel pots, in the streams tributary to the Delaware river above the Trenton Falls.

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

When lawful to catch catfish and eels.

1. It shall be lawful to catch and take catfish and eels in those streams which are tributaries of the Delaware river, which empty into said river above the Trenton Falls, and the small streams running into said tributaries, by means of set lines and fish baskets, and fish weirs or eel pots, during the time from August fifteenth to November first of each year, said fish baskets or fish weirs to have loose wing walls of stones, and also to have movable bottoms.

Act to apply to certain streams and fish.

2. This act shall apply only to the taking of catfish and eels in the streams above mentioned, and not any other kind of fish, nor to any other manner of catching fish.

Repealer.

3. All acts and parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 176.

A supplement to an act entitled "An act relating to the supply of water for public uses in townships of counties of the first class," approved March twenty-second, one thousand eight hundred and ninety-five.

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

1. Section six of the act to which this is a supplement Repealed. is hereby repealed.

2. This act shall take effect immediately.

Approved April 14, 1896.

CHAPTER 177.

An Act to defray the incidental expenses of the legislature of New Jersey for the session of one thousand eight hundred and ninety-six.

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

1. It shall be lawful for the treasurer of the state of New Jersey to pay upon the warrant of the comptroller, to the several persons hereinafter named, the following amounts, namely :

State Treasurer
authorized to pay
certain amounts.

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 eight hundred and ninety-six, ten dollars,

\$10 00

Item No. 2. To each officer of the senate and house of assembly of the session of one thousand eight hundred and ninety-five, for services in opening the session of one thousand eight hundred and ninety-six, ten dollars,	\$10 00
Item No. 3. To Mrs. Elizabeth Kucker, for washing towels for senate and house of assembly, sixty-five dollars,	\$65 00
Item No. 4. To William H. Rea, for furnishing parchments and engrossing oaths of senators, members of assembly and officers of the legislature, session of one thousand eight hundred and ninety-six, fifty dollars,	\$50 00
Item No. 5. To John D. Allwood, for services to the assistant clerk of the house of assembly and clerk to the committee on incidental expenses, session of one thousand eight hundred and ninety-six, two hundred dollars,	\$200 00
Item No. 6. To the John L. Murphy Publishing Company, for stationery and supplies furnished the speaker of the house of assembly, session of one thousand eight hundred and ninety-six, thirty-six and forty one hundredths dollars,	\$36 40
Item No. 7. To The John L. Murphy Publishing Company, for furnishing stationery and supplies to L. E. Watson, engrossing clerk of the assembly, session of one thousand eight hundred and ninety-six, one hundred and thirty-four and twenty-five one-hundredths dollars,	\$134 25
Item No. 8. To The John L. Murphy Publishing Company, for furnishing stationery and supplies to James Parker, clerk of the house of assembly, session of one thousand eight hundred and ninety-six, twenty-eight and sixty one-hundredths dollars,	\$28 60
Item No. 9. To Matthias Plum, for bill files, house of assembly, session of one thou-	

sand eight hundred and ninety-six, seven hundred and eighteen dollars,	\$718 00
Item No. 10. To John C. Rankin Co., for stationery for house of assembly, session of one thousand eight hundred and ninety-six, five hundred and thirty and eighty-five one-hundredths dollars,	\$530 85
Item No. 11. To John J. Matthews, for furnishing one hundred and fifty copies of members' pocket calendars for the senate and house of assembly, one hundred and fifty dollars,	\$150 00
Item No. 12. To Anthony Bratsch, for services as postmaster of the house of assembly, session of one thousand eight hundred and ninety-six, one hundred dollars,	\$100 00
Item No. 13. To John H. Francis, for services as assistant postmaster of the house of assembly, session of one thousand eight hundred and ninety-six, one hundred dollars,	\$100 00
Item No. 14. To L. N. Clayton, for furnishing toilet supplies to Andrew Bridenbach, sergeant-at-arms of the assembly, session of one thousand eight hundred and ninety-six, two hundred and forty-nine and sixty five one-hundredths dollars,	\$249 65
Item No. 15. To MacCrellish and Quigley, for calendars and books furnished house of assembly, session of one thousand eight hundred and ninety-six, ninety-nine dollars,	\$99 00
Item No. 16. To the Electric Cutlery Company, for shears furnished for the house of assembly, session of one thousand eight hundred and ninety-six, fifty-two and seventy-eight one-hundredths dollars,	\$52 78
Item No. 17. To William H. Umpleby and Son, for decorations, palms, &c., furnished house of assembly, one thousand eight hundred and ninety-four, twelve and forty one-hundredths dollars,	\$12 40

Item No. 18. To Daily News Publishing Company, for books furnished house of assembly, one thousand eight hundred and ninety-six, thirty dollars,	\$30 00
Item No. 19. To William F. Cyphers, assistant clerk house of assembly, for preparing index of calendars of the house of assembly, session of one thousand eight hundred and ninety-five, as per resolution adopted by house of assembly of said session, one hundred dollars,	\$100 00
Item No. 20. To Andrew J. Breidenback, for supplies furnished to house of assembly, one thousand eight hundred and ninety-six, seventy-three dollars,	\$73 00
Item No. 21. To Frank Thompson, for services as keeper of the cloakroom of the senate, session of one thousand eight hundred and ninety-six, three hundred and fifty dollars,	\$350 00
Item No. 22. To William Rodman, for services as keeper of the cloakroom of the senate, session of one thousand eight hundred and ninety-six, three hundred and fifty dollars,	\$350 00
Item No. 23. To William D. Barradale, for extra services as doorkeeper, house of assembly, session of one thousand eight hundred and ninety-six, one hundred dollars,	\$100 00
Item No. 24. To Peter Katzenbach, for entertaining Virginian delegation, by authority joint committee, February first, one thousand eight hundred and ninety-six, two hundred forty-two and fifty one-hundredths dollars,	\$242 50
Item No. 25. To Samuel S. Lyon, assistant clerk of house of assembly, for preparing index of calendars of the house of assembly, session of one thousand eight hundred and ninety-six, as per resolution adopted by house of assembly of said session, one hundred dollars,	\$100 00

Item No. 26. To M. Ida Phares, for shorthand and typewriting to committee on revision of borough laws, eighteen and sixty-one one-hundredths dollars, \$18 61

Item No. 27. To The John L. Murphy Publishing Company, for stationery and supplies furnished to engrossing clerk of the senate, session of one thousand eight hundred and ninety-six, ninety-four and fifty-five one-hundredths dollars, \$94 55

Item No. 28. To The Stoll Blank Book and Stationery Company, for stationery and supplies for the senate, session of one thousand eight hundred and ninety-six, two hundred nine and fifteen one-hundredths dollars, \$209 15

Item No. 29. To The John L. Murphy Publishing Company, for stationery and supplies furnished the secretary of the senate, session of one thousand eight hundred and ninety-six, one hundred thirty-eight and thirty-five one-hundredths dollars, \$138 35

Item No. 30. To Advocate Publishing Company, for stationery furnished the senate, session of one thousand eight hundred and ninety-six, sixty-eight and fifty one-hundredths dollars, \$68 50

Item No. 31. To The John L. Murphy Publishing Company, for stationery and supplies furnished the president of the senate, session of one thousand eight hundred and ninety-six, twenty-nine and fifteen one-hundredths dollars, \$29 15

Item No. 32. To The John L. Murphy Publishing Company, for furnishing stationery and supplies to clerk to senate committee on engrossed bills, session of one thousand eight hundred and ninety-six, nine and fifty-five one-hundredths dollars, \$9 55

Item No. 33. To Foye Letter-File, Cabinet and Index Company, for bill-files for

senate, session of one thousand eight hundred and ninety-six, two hundred and eleven dollars,	\$211 00
Item No. 34. To J. B. Evans, for services in the engrossing department of the senate, session of one thousand eight hundred and ninety-six,	\$125 00
Item No. 35. To Alphonzo M. Pycraft, for services in the engrossing department of the house of assembly, session of one thousand eight hundred and ninety-six, one hundred dollars,	\$100 00
Item No. 36. To Ames & Rollinson, memorial album, engrossed resolutions of General Theodore Runyon, per resolution of senate, twenty-five dollars,	\$25 00
Item No. 37. To M. Ida Phares, for type-writing and shorthand work for senate, six and fifty one-hundredths dollars,	\$6 50
Item No. 38. To H. L. Moore, for framing picture of senate of one thousand eight hundred and fifty-nine, four and twenty-five one hundredths dollars,	\$4 25
Item No. 39. To MacCrellish and Quigley, for supplies furnished to engrossing clerk and journal clerk of the senate, session of one thousand eight hundred and ninety-six, five and fifty one-hundredths dollars,	\$5 50
Item No. 40. To Ames and Rollinson, for engrossing concurrent resolution relative to services of ex-governor William Newell, in connection with establishing the life-saving service while member of the thirtieth congress, twenty-five dollars,	\$25 00

2. This act shall take effect immediately.

Approved (except items No. 19 and No. 25, to which I object and which are hereby disapproved,) April 15, 1896.

JOHN W. GRIGGS,
Governor.

CHAPTER 178.

An Act to regulate the sale of bread.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter all bread sold in this state shall be sold by weight, and the weight of all loaves of bread offered for sale shall be specified by the baker or dealer to the consumer, if said consumer require it; all bread sold shall be free from all impure or foreign substances or any material injurious to health. Bread to be sold by weight, and specified.
2. Any person offending against the provisions of this act by refusing to specify the weight when so required, or by falsely specifying said weight intentionally or by wilfully inserting in bread made or sold by him any impure or foreign substance or material injurious to health, shall, upon conviction therefor, be punished by a fine not exceeding the sum of twenty-five dollars for each offense, in the discretion of the court. Penalty.
3. Any offences under this act shall be cognizable in cities before recorders or police magistrates exclusively where there are such magistrates, and in towns, cities and other places where there is no such magistrate, before a justice of the peace. Offences, before whom cognizable.
4. This act shall take effect on the first day of August, one thousand eight hundred and ninety-six. Act when to take effect.
- Approved April 16, 1896.

CHAPTER 179.

An Act to provide for the payment of wages every two weeks.

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

Payment of wages to be made at least every two weeks.

Proviso.

No assignment of future wages valid.

Unlawful to enter or make agreement for payment of wages except for shorter intervals of two weeks.

Proviso.

1. Every manufacturing, mining or quarrying and lumbering corporation, partnership, association and establishment in this state employing persons in the business of manufacturing, mining or quarrying, shall pay at least every two weeks, in lawful money of the United States, each and every employe engaged in its business, or their representatives, the full amount of wages due to such employes up to within twelve days of such payment; *provided, however,* that if at any time of payment any employe shall be absent from his regular place of labor, and shall not receive his wages through a duly authorized representative, he shall be entitled to said payment at any time thereafter upon demand.

2. No assignment of future wages payable every two weeks, under the provisions of this act, shall be valid if made to the employer or employers from whom such wages are to become due, or to any person on behalf of such employer or employers, or if made or procured to be made to any person for the purpose of relieving such employer or employers from the obligation to pay weekly under the provisions of this act.

3. It shall not be legal for any such company or establishment, or the agent of any such company or establishment, to enter into or make any agreement with any employe for the payment of the wages of any such employe otherwise than as provided in section one of this act, except it be to pay such wages at shorter intervals than every two weeks, and that every agreement made in violation of this act be and the same is hereby declared to be null and void; *and provided,* that each and every one of such employes with whom any agreement, in violation of this act, shall be made by any such per-

son, company, establishment or agent, shall have his or her action and right of action against any such partnership, association, company or establishment for the full amount of such wages in any court of competent jurisdiction in this state.

4. Any employer or employers who may violate any of the provisions of this act shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding two hundred dollars and not less than fifty dollars for each violation, to be paid to the people of the state, at the discretion of the court; *provided*, that an action for such violation is commenced within thirty days from the date thereof.

Penalty for violation of act.

Proviso.

5. The factory inspector of this state and his deputies shall bring an action against any employer or employers who neglect to comply with the provisions of this act for a period of two weeks after having been notified in writing by said inspector or his deputies that such action will be brought; and it is hereby made the duty of county prosecutors of the pleas to appear in behalf of such proceedings brought hereunder by the factory inspector or his deputies.

Factory inspector and deputies to bring action against employers

6. When an employer or employers against whom action is brought under this act fail to appear, after having been duly served with the process, the default shall be recorded, the allegations in the complaint taken to be true and judgment rendered accordingly.

Failure of employers to appear, judgment to be rendered

7. When judgment is rendered upon any complaint for the violation of any of the provisions of this act the court may issue a warrant of distress to compel the payment of the penalty prescribed by law, together with costs.

Court may issue warrant.

8. The provisions of this act shall not apply to or affect any contract now existing or that shall hereafter be entered into between any manufacturer or corporation and any employee or employees or any bona fide trades union or labor organization.

Act not to apply or affect certain contracts, &c.

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

Repealer.

Approved April 16, 1896.

CHAPTER 180.

A Supplement to an act entitled "An act to enable counties of the second class in this state to furnish suitable accommodations for the transaction of public business," approved March twenty-second, one thousand eight hundred and ninety-five.

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

1. Section four of the act to which this is a supplement shall be amended to read as follows:

Board authorized to issue bonds.

4. The board of chosen freeholders of any such county is hereby authorized, empowered and directed to issue bonds, for the purposes aforesaid, in the corporate name and under the corporate seal of such county, the total amount of which shall not exceed the sum of three hundred and fifty thousand dollars.

Amount.

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

Payment of principal and interest, how provided for.

6. The board of chosen freeholders of such county shall provide for the payment of the principal and interest of said bonds by taxation, as follows: every year after the issue thereof, said board shall, by tax, in the manner hereinafter directed for the payment of the principal, raise and provide moneys sufficient to pay the interest thereon as the same shall accrue; yearly and every year, commencing with and including the year one thousand nine hundred and two, until said bonds shall be redeemed and paid off, such boards shall order and cause to be assessed and collected by tax at the same time and in the same manner that other county taxes in such county are assessed and collected, a sum in addition to the amount required for interest, of not less than ten thousand dollars, to pay the principal of said bonds; and provision for the redemption and payment thereof, in accordance with this section shall be

made at the time of the direction for and issue of the bonds as aforesaid; *provided*, that the whole expenditure for the erection of said building or buildings, for providing and installing furniture, heating and lighting fixtures and appliances, and for all other expenditures for the purposes of this act, shall not exceed the sum derived from the sale of said bonds.

Proviso.

3. Section seven of said act shall be amended to read as follows:

7. The work done and the materials required to be furnished by virtue of this act shall be done and furnished only under a contract or contracts in writing, which shall be awarded upon bids duly advertised for in three newspapers printed and published in said county, at least ten days previously, which advertisements shall state the time and place when and where said bids shall be publicly received and opened, and the contract or contracts shall be awarded to the lowest responsible bidder or bidders, but the said commissioners may reject any or all bids thus received and re-advertise for bids, should they deem it for the best interests of the county so to do; the bidder or bidders to whom the contract or contracts shall be awarded shall be required to enter into a bond with such sureties as said commissioners shall determine by resolution at the time the bids are ordered or invited, for the faithful performance of the contract or contracts, which sureties shall not be less than two in any case, and the penal sum of which bond shall not be less than sixty per centum of the contract to be secured by their bond; all bids must be accompanied by offers of sureties qualified as aforesaid, who shall make oath to the same, and who shall specify therein that each of them is ready and willing, jointly and severally, to enter into bond for the faithful performance of the contract as above provided.

Work and materials to be done and furnished by contract.

Bids to be advertised.

Bidders to give bond.

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

Repealer.

Approved April 16, 1896.

CHAPTER 181.

An Act to regulate the manufacture of flour and meal food products.

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

Daily and weekly employment hours.

1. No employees shall be required, permitted or suffered to work in a biscuit, bread or cake bakery, or confectionery establishment more than sixty hours in any one week, or more than ten hours in any one day, unless for the purpose of making a shorter workday on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the whole number of days in which such person shall so work during such week; but it shall be lawful in cases of emergency for employers to permit any employee and for the latter to work an additional time not exceeding two hours per day, such extra work to be remunerated at the current rate of the weekly wages paid to such employee for his weekly work of sixty hours; no employee in any biscuit, bread or cake bakery shall be discharged by his employer for having made any truthful statement as a witness in a court or to the factory inspector or a deputy factory inspector, in pursuance of this act.

In case of emergency employees may work additional time.

Buildings or rooms occupied as bakeries, how constructed.

2. All buildings or rooms, occupied as biscuit, bread or cake bakeries, shall be drained and plumbed in a manner to conduce to the proper and healthful sanitary condition thereof, and constructed with air-shafts, windows or ventilating pipes sufficient to insure ventilation, as the factory inspector or any of his deputies shall direct; no cellar or basement not now occupied as a bakery shall hereafter be occupied and used as a bakery, and a cellar bakery heretofore occupied, when once closed shall not be re-opened, unless the proprietor shall have previously complied with the provisions of this act.

No cellar or basement not now occupied shall be used as a bakery.

3. Every room used for the manufacture of flour or meal food products shall be at least eight feet in height and shall have, if deemed necessary by the factory inspector, an impermeable floor, constructed of cement or of wood properly saturated with linseed oil; the side walls of such rooms shall be plastered or wainscoted, except where brick walls are shown, and, if required by the factory inspector, shall be whitewashed at least once in three months; the furniture and utensils in such rooms shall be so arranged that the furniture and floor may at all times be kept in a proper and healthful, sanitary and clean condition; no domestic animal, except cats, shall be allowed to remain in a room used as a biscuit, bread or cake bakery, or for the storage of flour or meal food products.

Rooms for manufacture of flour or meal food, how constructed and what to contain.

4. The manufactured flour or meal products shall be kept in perfectly dry and airy rooms, so arranged that the floors, shelves and all other facilities for storing the same can be easily and perfectly cleaned.

Flour, how to be kept.

5. Every such bakery shall be provided with a proper wash-room and water-closet or closets, apart from the bake-room or rooms where the manufacturing of such food products is conducted; and no water-closet, earth-closet or privy shall be within or communicate directly with the bake-room of any bakery, hotel or public restaurant.

Bakeries to be provided with wash-room, &c.

6. The sleeping places for the persons employed in a bakery shall be kept separate from the room or rooms where flour or meal food products are manufactured or stored, and the factory inspector or a deputy factory inspector may inspect such sleeping places, if they are on the same premises as the bakery, and order them cleaned or changed in compliance with sanitary principles.

Sleeping places to be kept separate from rooms where flour is manufactured or stored.

7. Any person who violates any of the provisions of this act, or refuses to comply with any requirement of the factory inspector or deputy factory inspector, as provided herein, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than twenty nor more than fifty dollars for the first offense, and not less than fifty nor more than one hundred dollars for a second offense or imprisonment for not more than ten days, and for a third offense by a fine of

Penalty for violation of act and refusing to comply with requirements of factory inspectors.

not less than two hundred and fifty dollars and not more than thirty days' imprisonment.

Factory inspector and deputies to inspect all bakeries.

8. The factory inspector and his deputies shall inspect all bakeries and see that the provisions of this act are observed therein; such deputies shall have all power and duties of the deputy inspectors and shall be amenable to the supervision and control of the factory inspector; the factory inspector or a deputy factory inspector authorized by him may issue a certificate to a person conducting a bakery that such bakery is conducted in compliance with all the provisions of this act.

May issue certificates.

Owners, &c., of property affected by certain sections to make alterations after notice.

9. The owner, agent or lessee of any property affected by the provisions of section two, three or five of this act shall, within sixty days after the service of a notice requiring any alterations to be made in or upon such premises, comply therewith, and such notice shall be in writing and may be served upon such owner, agent or lessee, either personally or by mail, and a notice mailed to the last known address of such owner, agent or lessee shall be deemed sufficient for the purposes of this act.

Approved April 16, 1896.

CHAPTER 182.

An Act to abolish the office of township committee in townships wherein there now or hereafter may exist any town, village, or any municipality governed by a board of commissioners or improvement commission the boundaries or territorial limits of which are co-extensive with those of the said township, and conferring upon the governing body thereof all the powers, duties, privileges and liabilities of the township committee so abolished.

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

1. In any township in this state wherein there now or hereafter may exist any town, village, or any municipality governed by a board of commissioners or improvement commission the boundaries or territorial limits of which are co-extensive with those of said township, or co-extensive with the boundaries of said township after excepting or excluding such portion or portions of said township as may lie and be included in the territorial limits of any borough or boroughs, the office of township committee of said township is hereby abolished, and the governing body of such town, village, or municipality governed by a board of commissioners or improvement commission is hereby invested with all the powers, duties, privileges and liabilities by law conferred upon or required of any such township committee.

Township committees abolished in certain townships.

2. The treasurer of any such township shall forthwith turn over to the treasurer of any such town, village, or municipality governed by a board of commissioners or improvement commission, all books, papers, vouchers, moneys and assets of such township being in his hands as treasurer.

Treasurer to turn over all moneys.

Repealer.

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

Approved April 16, 1896.

CHAPTER 183.

An Act to provide for the division of the assets and liabilities of townships between such townships and any borough or boroughs set off from the same.

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

Authorized by agreement to make division of property and moneys.

Apportionment of indebtedness and liabilities.

Agreement: how executed.

Where division, etc., have not been effected, who to appoint time and place of meeting.

1. Where any borough has been heretofore or shall be hereafter set off from any township in this state, the township committee of such township and the mayor and council of such borough shall have the power, and it shall be their duty, by agreement, to make division between such borough and such township of all the property of such township, including moneys and assets on hand, and due or to become due to said township, and to make an equitable apportionment of the indebtedness and liabilities of such township; which agreement shall be in writing, and shall be signed by the said township committee, or a majority of them, and shall be executed by the mayor of said borough under the seal of such borough; and any such division and apportionment heretofore made by any such township or borough, evidenced in writing as above prescribed, is hereby ratified, validated and confirmed.

2. Where any such borough and such township shall not have effected the division and apportionment mentioned in the last preceding section, then and in every such case a majority of such township committee, or a majority of such mayor and council, may appoint a time and place for a meeting of such township committee and of such mayor and council for the purpose of effecting

such division and apportionment, and may serve ten days' notice in writing of the time and place so appointed upon the other of such bodies, as the case may be, and thereupon, at the time and place so appointed, the said township committee and said mayor and council of such borough, or such of them as may attend, shall forthwith proceed to make a division between such township and such borough of all the property of such township, of every kind whatsoever, and shall also make an apportionment of the indebtedness and liabilities of such township; such division and apportionment shall be made, as nearly as may be, in proportion to the assessed valuation of the real and personal property within the limits of such township and of such borough respectively, on the basis of the last preceding assessment thereof; *provided*, that no such division and apportionment shall be valid unless the same shall be approved by a majority either of the said township or of the said mayor and council; and such division and apportionment shall, at the time and place so appointed, be set forth in writing and signed by those present, or by a majority of them, and a copy thereof filed with the clerk of the township and the clerk of the borough respectively, and thereupon such division and apportionment shall be valid, and it shall be the duty of the officers of such township and of such borough respectively to execute and carry out the same, and thereafter such borough shall be liable for the share or quota of the township indebtedness and liability so apportioned to such borough, and shall have the right to the share of the property by such division allotted to such borough.

3. This act shall apply in cases where more than one borough is set off at the same time from any township, and also in cases where a borough is set off from two or more townships.

4. This act shall take effect immediately.
Approved April 16, 1896.

Notice to be given.

Division and apportionment to be made.

Proviso.

Act to apply to certain boroughs set off.

CHAPTER 184.

A Further Supplement to an act entitled "An act to authorize the board of chosen freeholders of any of the several counties of this state to lay out, open, construct, improve and maintain a public road therein," approved April seventh, one thousand eight hundred and eighty-eight.

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

Boards of freeholders authorized to flag sidewalks, etc.

1. It shall be lawful for the board of chosen freeholders of any county of this state wherein a public road has been or shall be laid out, opened, constructed and improved under the authority of the above-mentioned act, and acts supplementary thereto and amendatory thereof, or any of them, in addition to the improvement authorized by the above acts, to further improve said public road, or any and all branch or connecting road or roads, or any part or section thereof, by the laying of flagging or other suitable material upon the parts of said road or roads reserved for sidewalks, whenever the said board of chosen freeholders shall deem it expedient and necessary to so improve said sidewalks for the accommodation of public travel.

Flagging: how laid and constructed.

2. Said flagging or other suitable material shall be laid at a width not to exceed four-tenths ($\frac{4}{10}$) of the total space reserved for sidewalks, between the curb line and the side line of the said road or roads at the place where it shall be laid, and the cost of laying such flagging or other suitable material shall not exceed an average sum of twelve thousand five hundred dollars (\$12,500) per mile, measured on the centre line of said road or roads, for each and every mile of such road which shall be so improved by laying flagging on both sidewalks thereof, and a proportionate sum for any fraction of a mile so improved.

Cost not to exceed a certain amount per mile.

3. All work herein authorized shall be performed and carried out as provided in said original act, or as near thereto as practicable, including methods and officers already provided for supervision of the work and the proceedings necessary to enable the same to be done, together with the awarding and making of contracts therefor, upon advertisements for bids duly made; in all other things requisite and necessary to be done to carry out and meet the purpose and objects of this act, the same shall conform to the provisions of the said original act and the acts supplementary thereto, except in so far as changes, alterations in or deviation therefrom may be rendered necessary by this act.

All work to be performed as provided in original act.

4. When said board of chosen freeholders shall have completed the improvement of any part or section of said road by laying said flagging or other sidewalks thereon, they shall certify the total cost and expenses of such improvement to the circuit court of the county wherein said road is located; said court shall thereupon appoint three disinterested freeholders, resident in said county, as commissioners to assess the cost and expenses of such improvement as hereinafter directed upon the property specially benefited thereby; the commissioners so appointed shall, before entering upon the duties of their office, take, subscribe and file, in the office of the county clerk, an oath, faithfully to discharge the duties devolving upon them as such commissioners; in case of death, resignation, disability or refusal to serve, of any such commissioners, the vacancy shall be filled by said circuit court.

Board of freeholders to certify total costs and expenses to circuit court.

Court to appoint commissioners to assess costs and expenses on property benefited.

Commissioners to take oath.

5. The said commissioners, upon their appointment and qualification, shall cause ten days' notice to be given, by publication in three daily newspapers published in said county, and by printed notices posted in five of the most public places in said county, and in three public places along the line of said improvement, of the time and place, when and where they will meet to proceed to examine the matters referred to them under this act; they shall have power to adjourn from time to time and from place to place; they shall give full opportunity to all persons interested to be heard in relation to said improvement and the assessment to be

Notice of meeting of commissioners to be given.

imposed therefor, and to present their objections to the assessments to be made by the said commissioners and to produce evidence in support of said objections.

Commissioners to ascertain and determine the total costs and expenses, and make assessment on lands benefited.

6. The said commissioners at the time and place so appointed shall proceed to ascertain and determine the total costs and expenses of said improvement; they shall then make a just and equitable assessment thereof upon all of the lands abutting upon said road or roads specially benefited by such improvement, in proportion to the special benefits actually received by said lands, but in no case shall the assessment upon any lands exceed the special benefits arising from such improvement to the lands so assessed, nor shall the total amount of such assessments for special benefits exceed one-half of the total costs and expenses of making such improvement, and the costs and expenses of such improvement in excess of the amount of said special benefits so assessed shall be paid by the county at large, and the payment thereof shall be provided for in the next tax levy of the county after the confirmation of said assessment.

Commissioners to report to circuit court.

7. When the commissioners shall have completed their assessment they shall report the same to said circuit court with a map showing the location and boundaries of each lot so assessed, and they shall show the whole amount of said assessment, with the amount assessed against each lot by the number designated on said map, and the names of the owners thereof set opposite thereto, so far as the same may be known to said commissioners.

Commissioners to make report within sixty days of their appointment.

8. Said commissioners shall make a report of their proceedings and assessment to said circuit court within sixty days from the date of their appointment or within such further time as the said court may by order grant; upon the coming in of said report, signed by said commissioners, or any two of them, said court shall cause notice to be given in the same manner as prescribed by section five of this act, of the time and place of hearing any objections that may be made to such report and assessment; and after hearing any matter that may be alleged against the same, the said court shall either confirm the said report or refer the same back to the same

Notice to hear objections.

or new commissioners, to be appointed by the said court, to reconsider the subject matter thereof; and the said commissioners to whom the said report shall be so referred, shall return the same report, corrected and revised, or a new report, to be by them made in the premises, to the said court, within such time as the said court shall by order direct, and the same on being so returned shall be confirmed or again referred by said court in manner aforesaid, as right and justice shall require, and so from time to time until a report shall be made or returned in the premises, which the court shall confirm; and such report when so confirmed shall be filed in the office of the county clerk of said county, and shall at all reasonable times be subject to examination and inspection of all parties interested.

Court may confirm report.

Report to be filed.

9. The county clerk shall upon the filing of said report and map cause a copy thereof to be made and filed in the office of the officer charged by law with the duty of collecting assessments for street improvements in each city, town, township and other municipality in said county wherein there may be situated any lands assessed for said improvement; and from and after the filing of said copy of said map and report in the office of said collecting officer said assessments shall be and remain a lien upon each lot in said city, town, township or other municipality assessed for said improvement for the amount of said assessment, with interest thereon and all costs and fees thereon, until the same shall be paid and satisfied, notwithstanding any devise, descent or alienation thereof, or any judgment, mortgage or encumbrances thereon, and notwithstanding any mistake in the name or names of, or omission to name, the owner or owners thereof.

Clerk to file copy.

Assessments to be a lien on lots.

10. It shall be the duty of the officer charged by law with the duty of collecting assessments for street improvements in such municipality, upon the filing of a copy of said report and map in his office, to collect the said assessment upon all property assessed therefor within his said municipality, with all interest accruing thereon, to cancel the same upon his books when paid, to make out bills and receipts therefor, and to generally proceed therewith in the same manner as if said assess-

Assessments : how and by whom collected.

ment had been imposed for said improvement by the authorities of said municipality, and the proper officer of such municipality shall also pay over monthly to the county collector, for the use of the county, the moneys so collected, with an itemized statement of the amounts paid upon each particular lot assessed.

Assessments not paid within a certain time to bear interest.

11. The said assessments shall be payable without interest at any time within sixty days after the filing of said map and report in the office of the said collecting officer of the various municipalities affected thereby; from and after the expiration of said sixty days, said assessment shall bear interest at the rate of ten per cent. per annum from the date of such filing, which interest shall be collected by said collecting officer with the principal of said assessments.

Failure to pay assessments for two years, lands may be sold.

12. In case said assessment shall remain unpaid and in arrears for the space of two years after the date of the filing of the copy of said report and map with said collecting officer, it shall be the duty of the proper authorities of said municipality to proceed with the collection thereof by the sale of the lands subjected to said assessment, according to the law governing the sale of land for delinquent assessments in said municipality.

Court to allow compensation, costs, etc., to commissioners.

13. The circuit court, on the confirmation of said assessment, shall tax and allow such reasonable compensation, costs and fees to said commissioners as the said court shall decree just and fair, and the same shall be paid by the collector of the county upon the taxation and certification thereof by said court.

Board of freeholders authorized to issue bonds.

14. It shall be the duty of the board of chosen freeholders of said county, in order to provide the funds necessary for the improvements upon said road herein authorized, to issue from time to time the bonds of said county, said bonds to run for five years, and to bear interest at not exceeding four per cent. per annum, payable one-half yearly; said bonds shall in all other respects be similar to the bonds heretofore authorized under the provisions of the act to which this is a further supplement; so much of the cost of the assessment as shall be laid upon the county at large by said commissioners and confirmed by said circuit court shall be

raised by said county by taxation in the same method as other county taxes are levied and raised, and the amount of said taxes when collected shall be paid into the sinking fund of said county for the extinguishment of said bonds; all moneys paid by the proper officer of the various municipalities to the county collector as hereinbefore provided, shall be likewise placed in said sinking fund for the extinguishment of said bonds; the interest upon said bonds shall be raised by taxation annually in the same manner as other county taxes are levied and raised.

15. All acts or parts of acts, general, special, local or otherwise, inconsistent with the provisions of this act, are hereby repealed, and this act shall take effect immediately. Repealer.

Approved April 16, 1896.

CHAPTER 185.

An Act concerning corporations (Revision of 1896).

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

I. POWERS.

1. Every corporation shall have power :
- I. To have succession, by its corporate name, for the period limited in its charter or certificate of incorporation, and when no period is limited, perpetually; Powers of corporations general
To have succession.
 - II. To sue and be sued in any court of law or equity; To sue, etc.
 - III. To make and use a common seal, and alter the same at pleasure; Common seal.
 - IV. To hold, purchase and convey such real and personal estate as the purposes of the corporation shall require, and all other real estate which shall have been bona fide conveyed or mortgaged to the said corporation by way of security, or in satisfaction of debts, or purchased at sales upon judgment or decree obtained for such debts; and to mortgage any such real or per- Hold real estate.

sonal estate with its franchises; the power to hold real and personal estate shall include the power to take the same by devise or bequest;

To appoint agents.

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

Make by-laws.

VI. To make by-laws fixing and altering the number of its directors, and providing for the management of its property, the regulation and government of its affairs, and the transfer of its stock, with penalties for the breach thereof not exceeding twenty dollars;

To wind up and dissolve.

VII. To wind up and dissolve itself, or be wound up and dissolved in manner hereafter mentioned.

Additional powers.

2. In addition to the powers enumerated in the first section of this act and the powers specified in its charter or in the act or certificate under which it was incorporated, every corporation, its officers, directors and stockholders, shall possess and exercise all the powers and privileges contained in this act, so far as the same are necessary or convenient to the attainment of the objects set forth in such charter or certificate of incorporation; and shall be governed by the provisions and be subject to the restrictions and liabilities in this act contained, so far as the same are appropriate to and not inconsistent with such charter or the act under which such corporation was formed; and no corporation shall possess or exercise any other corporate powers, except such incidental powers as shall be necessary to the exercise of the powers so given.

Banking powers never implied.

3. No corporation created or to be created shall, by any implication or construction, be deemed to possess the power of discounting bills, notes or other evidences of debt, of receiving deposits of money, of buying gold or silver bullion, or foreign coins, of buying and selling bills of exchange, or of issuing bills, notes or other evidences of debt, upon loan or for circulation as money, unless such corporation is or shall be expressly incorporated for banking purposes, or unless such powers are or shall be expressly given in its charter.

Charters subject to legislative alteration.

4. The charter of every corporation, or any supplement thereto or amendment thereof shall be subject to alteration, suspension and repeal, in the discretion of

the legislature, and the legislature may at pleasure dissolve any corporation.

5. This act may be amended or repealed, at the pleasure of the legislature, and every corporation created under this act shall be bound by such amendment; but such amendment or repeal shall not take away or impair any remedy against any such corporation or its officers for any liability which shall have been previously incurred; this act and all amendments thereof shall be a part of the charter of every corporation heretofore or hereafter formed hereunder, except so far as the same are inapplicable and inappropriate to the objects of such corporation.

Amendment to act not to impair remedy against corporations, etc.

II. FORMATION, CONSTITUTION, ALTERATION, DISSOLUTION.

6. Three or more persons may associate themselves into a corporation to carry on any kind of manufacturing, mining, chemical, trading or agricultural business; the transportation of goods, merchandise or passengers, upon land or water; inland navigation; ferries; the building of houses, vessels, wharves or docks, or other mechanical business; the reclamation and improvement of submerged lands; the improvement and sale of lands; the examination and guaranty of the title to lands; the making, purchasing and selling manufactured articles, and acquiring and disposing of rights to make and use the same; the renting of buildings and steam or other power therewith; the cutting and digging of peat, stone, marl, clay, or other like substance, and dealing in the same, manufactured or unmanufactured, or any wholesale or retail mercantile business, or any lawful business or purpose whatever, upon making and filing a certificate of incorporation in writing, in manner hereinafter mentioned; *provided*, that nothing herein contained shall authorize the formation of any insurance, safe deposit or trust company, banking corporation, savings bank or other corporation intended to derive profit from the loan and use of money, or of any railroad company (but companies may be formed for the purpose of constructing, maintaining and operating railroads, wholly in other states and territories or in foreign countries), or any

Association for business purposes lawful.

Certificate to be filed.

Proviso.

	turnpike company or other company which shall need to possess the right of taking and condemning lands.
Corporations may conduct business and hold property in other states.	7. Any corporation of this state may conduct business in other states or in foreign countries and have one or more offices out of this state, and may hold, purchase, mortgage and convey real and personal property out of this state; <i>provided</i> , such powers are included within the objects set forth in its certificate of incorporation.
Proviso.	
Certificate.	8. The certificate of incorporation shall set forth—
Name.	I. The name assumed to designate the corporation, and to be used in its business and dealings; but no name shall be assumed, already in use by another corporation of this state, or so nearly similar thereto as to lead to uncertainty or confusion;
Principal office and place of business in this state.	II. The place in this state where the principal office is to be situated; the place or places in this state where the business of the corporation is to be conducted;
Objects, etc.	III. The objects for which the corporation is formed and any provision for the regulation of the business and the conduct of the affairs of the corporation, and any limitation or regulation of the powers of the corporation, the directors, and the stockholders, not inconsistent with this act, which the incorporators may choose to insert;
Capital stock.	IV. The total amount of the capital stock of the corporation, which shall not be less than two thousand dollars; the amount with which it will commence business, which shall not be less than one thousand dollars; the number of shares into which the same is divided; the par value of each share; and a description of the different classes of stock, if there be more than one class created by the certificate, with the terms on which preferred shares are created;
Incorporators and number of shares.	V. The names and residences of the incorporators, and the number of shares subscribed for by each; the aggregate of such subscriptions shall be at least one thousand dollars;
When to commence and terminate.	VI. The date on which the existence of the corporation shall begin, and the period, if any, limited for its continuance.
Certificates to be recorded and filed.	9. The certificate of incorporation shall be proved or acknowledged as required for deeds of real estate, and recorded in a book to be kept for that purpose in the office of the clerk of the county where the principal

office of such corporation in this state shall be established, and, after being so recorded, shall be filed in the office of the secretary of state; said certificate, or a copy thereof duly certified by the secretary of state, shall be evidence in all courts and places.

Copy evidence.

10. Upon making the certificate of incorporation and causing the same to be recorded and filed as aforesaid, the persons so associating, their successors and assigns, shall, from the date of such filing, be and constitute a body corporate by the name set forth in said certificate, subject to dissolution as in this act elsewhere provided.

Upon filing and recording, persons associating incorporated.

11. The power to make and alter by-laws shall be in the stockholders, but any corporation may, in the certificate of incorporation, confer that power upon the directors; by-laws made by the directors under power so conferred may be altered or repealed by the stockholders.

Power to make by laws.

12. The business of every corporation shall be managed by its directors, who shall respectively be shareholders therein; they shall be not less than three in number, and, except as hereinafter provided, they shall be chosen annually by the stockholders at the time and place provided in the by-laws, and shall hold office for one year and until others are chosen and qualified in their stead; but by so providing in its certificate of incorporation, any corporation organized under this act may classify its directors in respect to the time for which they shall severally hold office, the several classes to be elected for different terms; *provided*, that no class shall be elected for a shorter period than one year or for a longer period than five years, and that the term of office of at least one class shall expire in each year; any corporation which shall have more than one kind of stock, may, by so providing in its certificate of incorporation, confer the right to choose the directors of any class upon the stockholders of any class or classes, to the exclusion of the others; one director of every corporation of this state shall be an actual resident of this state, and it shall not be necessary for more than one director to be a resident of this state, notwithstanding the provisions of any special charter or other act.

Corporations managed by board of directors.

Chosen annually.

Proviso.

13. Every corporation organized under this act shall have a president, secretary and treasurer, who shall be

Officers; how chosen.

chosen either by the directors or stockholders, as the by-laws may direct, and shall hold their offices until others are chosen and qualified in their stead; the president shall be chosen from among the directors; the secretary shall be sworn to the faithful discharge of his duty, and shall record all the votes of the corporation and directors in a book to be kept for that purpose, and perform such other duties as shall be assigned to him; the treasurer shall give bond in such sum, and with such surety or sureties, as shall be required by the by-laws, for the faithful discharge of his duty.

May have other officers and agents.

14. The corporation may have such other officers, agents and factors, who shall be chosen in such manner and hold their office for such terms as may be prescribed by the by-laws.

Vacancies; how filled.

15. Any vacancy occurring among the directors or in the office of president, secretary or treasurer by death, resignation, removal or otherwise, shall be filled in the manner provided for in the by-laws; in the absence of such provision such vacancies shall be filled by the board of directors.

Meetings; how called.

16. The first meeting of every corporation shall be called by a notice, signed by a majority of the incorporators, designating the time, place and purpose of the meeting, which notice shall be published at least two weeks before the meeting in some newspaper of the county where the corporation is established; or said first meeting may be called without publication if two days' notice be personally served on all the incorporators; or if all the incorporators shall in writing waive notice and fix a time and place of meeting, no notice or publication shall be required.

Absent stockholders may vote by proxy.

Certificate or by-laws to regulate meetings.

17. Absent stockholders may vote at all meetings by proxy in writing; and every corporation may determine by its certificate of incorporation or by-laws the manner of calling and conducting all meetings, what number of shares shall entitle the stockholders to one or more votes, what number of stockholders shall attend, either in person or by proxy, or what number of shares or amount of interest shall be represented at any meeting in order to constitute a quorum; *provided*, in no case shall more than a majority of shares or amount of inter-

Proviso.

est be required to be represented at any meeting in order to constitute a quorum; if the quorum shall not be so determined by the corporation, a majority in interest of the stockholders, represented either in person or by proxy, shall constitute a quorum.

18. Every corporation shall have power to create two or more kinds of stock of such classes, with such designations, preferences and voting powers, or restriction or qualification thereof, as shall be stated and expressed in the certificate of incorporation; and the power to increase or decrease the stock, as in this act elsewhere provided, shall apply to all or any of the classes of stock; but at no time shall the total amount of the preferred stocks exceed two-thirds of the actual capital paid in cash or property; and such preferred stocks may, if desired, be made subject to redemption at not less than par, at a fixed time and price, to be expressed in the certificate thereof; and the holders thereof shall be entitled to receive, and the corporation shall be bound to pay thereon, a fixed yearly dividend, to be expressed in the certificate, not exceeding eight per centum, payable quarterly, half-yearly or yearly, before any dividend shall be set apart or paid on the common stock, and such dividends may be made cumulative; and in no event shall a holder of preferred stock be personally liable for the debts of the corporation; but in case of insolvency its debts or other liabilities shall be paid in preference to the preferred stock; unless its original certificate of incorporation shall otherwise provide, no corporation shall create preferred stock, except by authority given to the board of directors by a vote of at least two-thirds of the stock voted at a meeting of the common stockholders, duly called for that purpose; the terms "general stock" and "common stock" are synonymous.

Power to issue common and preferred stock.

19. Every stockholder shall have a certificate, signed by the president and treasurer, certifying the number of shares owned by him in such corporation.

Certificate of stock.

20. The shares of stock in every corporation shall be personal property, and shall be transferable on the books of the corporation in such manner and under such regulations as the by-laws provide; and whenever

Stock; how transferred.

any transfer of shares shall be made for collateral security, and not absolutely, it shall be so expressed in the entry of the transfer.

Stockholders
bound to pay full
amount of
shares.

21. Where the whole capital of a corporation shall not have been paid in, and the capital paid shall be insufficient to satisfy its debts and obligations, each stockholder shall be bound to pay on each share held by him the sum necessary to complete the amount of such share, as fixed by the charter of the corporation, or such proportion of that sum as shall be required to satisfy such debts and obligations.

Assessments on
stock

22. The directors of every corporation may, from time to time, make assessments upon the shares of stock subscribed for, not exceeding, in the whole, the par value thereof; and the sums so assessed shall be paid to the treasurer at such times and by such installments as the directors shall direct, said directors having given thirty days' notice of the assessment and of the time and place of payment either personally or by mail or by publication in a newspaper published in the county where the corporation is established.

Penalty for non-
payment of
assessments.

23. If the owner of any shares shall neglect to pay any sum assessed thereon for thirty days after the time appointed for payment, the treasurer, when ordered by the board of directors, shall sell, at public auction, such number of the shares of the delinquent owner as will pay all assessments then due from him, with interest, and all necessary incidental charges, and shall transfer the shares sold to the purchaser, who shall be entitled to a certificate therefor.

Proceedings for
sale of shares.

24. The treasurer shall give notice of the time and place appointed for the sale, and of the sum due on each share, by advertising the same three weeks successively, once in each week, before the sale, in some newspaper published in the county where the corporation is established, and by mailing a notice thereof to the delinquent stockholder, if he knows his post-office address.

Certificate of
payment of
capital stock.

25. The president and secretary, or treasurer, upon payment of each installment of capital stock, and of every increase thereof, shall make a certificate, stating the amount of the capital so paid, and whether paid in cash or by the purchase of property, stating also the

total amount of capital stock, if any, previously paid and reported; which certificate shall be signed and sworn to by the president and secretary or treasurer, and they shall, within ten days after such payment, cause the certificate to be filed in the office of the secretary of state.

To be filed.

26. If any of said officers shall neglect or refuse to perform the duties required of them in the preceding section for thirty days after written request so to do by a creditor or stockholder of the corporation, they shall be jointly and severally liable for all its debts contracted before the filing of such certificate.

Penalty for not making certificate.

27. Every corporation organized under this act may change the nature of its business, change its name, increase its capital stock, decrease its capital stock, change the par value of the shares of its capital stock, change the location of its principal office in this state, extend its corporate existence, create one or more classes of preferred stock, and make such other amendment, change or alteration as may be desired, in manner following: the board of directors shall pass a resolution declaring that such change or alteration is advisable and calling a meeting of the stockholders to take action thereon; the meeting shall be held upon such notice as the by-laws provide, and in the absence of such provision, upon ten days' notice, given personally or by mail; if two-thirds in interest of each class of the stockholders having voting powers shall vote in favor of such amendment, change or alteration, a certificate thereof shall be signed by the president and secretary under the corporate seal, acknowledged or proved as in the case of deeds of real estate, and such certificate, together with the written assent, in person or by proxy, of two-thirds in interest of each class of such stockholders, shall be filed in the office of the secretary of state, and upon the filing of the same, the certificate of incorporation shall be deemed to be amended accordingly; *provided*, that such certificate of amendment, change or alteration shall contain only such provision as it would be lawful and proper to insert in an original certificate of incorporation made at the time of making such amendment, and the certificate of the secretary of state that such certificate

Corporations may increase capital, etc., and change original certificates of incorporations.

Certificates to be filed.

Proviso.

and assent have been filed in his office shall be taken and accepted as evidence of such change or alteration in all courts and places.

Other corporations may change their certificates.

28. Any corporation of this state, whether organized under a special act of incorporation or under general laws, excepting railroad and canal corporations, and other corporations possessing the right of taking and condemning lands, may increase or decrease its capital stock, change the par value of the shares of its capital stock, or the location of its principal office in or out of this state in the manner prescribed in the foregoing section, and any corporation may, in the same manner, relinquish one or more branches of its business or extend its business to such branches as might have been inserted in its original certificate of incorporation.

Decrease of capital stock; how effected.

29. The decrease of capital stock may be effected by retiring or reducing any class of the stock, or by drawing the necessary number of shares by lot for retirement, or by the surrender by every shareholder of his shares, and the issue to him in lieu thereof of a decreased number of shares, or by the purchase at not above par of certain shares for retirement, or by retiring shares owned by the corporation or by reducing the par value of shares; and when any corporation shall decrease the amount of its capital stock hereinbefore provided, the certificate decreasing the same shall be published for three weeks successively, at least once in each week, in a newspaper published in the county in which the principal office of the corporation is located; the first publication to be made within fifteen days after the filing of such certificate, and in default thereof the directors of the corporation shall be jointly and severally liable for all debts of the corporation contracted before the filing of the said certificate, and the stockholders shall also be liable for such sums as they may respectively receive of the amount so reduced; *provided*, no such decrease of capital stock shall release the liability of any stockholder, whose shares have not been fully paid, for debts of the corporation theretofore contracted, nor effect any reduction of the taxes that may be required to be paid by the charters of corporations incorporated by special acts.

Proviso.

30. No corporation shall make dividends, except from the surplus or net profits arising from its business, nor

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divide, withdraw, or in any way pay to the stockholders, or any of them, any part of its capital stock, or reduce its capital stock, except according to this act, and in case of any violation of the provisions of this section, the directors under whose administration the same may happen shall be jointly and severally liable, at any time within six years after paying such dividend, to the corporation and to its creditors, in the event of its dissolution or insolvency, to the full amount of the dividend made or capital stock so divided, withdrawn, paid out or reduced, with interest on the same from the time such liability accrued; *provided*, that any director who may have been absent when the same was done, or who may have dissented from the act or resolution by which the same was done, may exonerate himself from such liability by causing his dissent to be entered at large on the minutes of the directors, at the time the same was done, or forthwith after he shall have notice of the same, and by causing a true copy of said dissent to be published, within two weeks after the same shall have been so entered, in a newspaper published in the county where the corporation has its principal office.

31. Whenever, in the judgment of the board of directors, it shall be deemed advisable and most for the benefit of such corporation that it should be dissolved, the board, within ten days after the adoption of a resolution to that effect by a majority of the whole board at any meeting called for that purpose, of which meeting every director shall have received at least three days' notice, shall cause notice of the adoption of such resolution to be mailed to each stockholder residing in the United States, and also beginning within said ten days cause a like notice to be published in a newspaper published in the county wherein the corporation shall have its principal office, at least four weeks successively, once a week, next preceding the time appointed for the same, of a meeting of the stockholders to be held at the office of the corporation, to take action upon the resolutions so adopted by the board of directors, which meeting shall be held between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of the day so named, and which meeting may, on the day

Unlawful to declare dividends except from surplus or profits.

When directors liable.

Proviso

How companies may be dissolved

so appointed, by consent of a majority in interest of the stockholders present, be adjourned from time to time for not less than eight days at any one time, of which adjourned meeting notice by advertisement in said newspaper shall be given; and if at any such meeting two-thirds in interest of all the stockholders shall consent that a dissolution shall take place and signify their consent in writing, such consent, together with a list of the names and residences of the directors and officers, certified by the president and the secretary or treasurer, shall be filed in the office of the secretary of state, who, upon being satisfied by due proof that the requirements aforesaid have been complied with, shall issue a certificate that such consent has been filed, and the board of directors shall cause such certificate to be published four weeks successively, at least once a week, in a newspaper published in said county; and upon the filing in the office of the secretary of state of an affidavit that said certificate has been so published, the corporation shall be dissolved and the board shall proceed to settle up and adjust its business and affairs; whenever all the stockholders shall consent in writing to a dissolution, no meeting or notice thereof shall be necessary, but on filing said consent in the office of the secretary of state he shall forthwith issue a certificate of dissolution, which shall be published as above provided.

Incorporators
may surrender
rights and
franchise.

32. The incorporators named in any certificate of incorporation, before the payment of any part of the capital, and before beginning the business for which the corporation was created, may surrender all their corporate rights and franchises, by filing in the office of the secretary of state a certificate, verified by oath, that no part of the capital has been paid and such business has not been begun, and surrendering all rights and franchises, and thereupon the said corporation shall be dissolved.

III. ELECTIONS—STOCKHOLDERS' MEETINGS.

Books to be open
to inspection.

33. The books of any corporation in which the transfer of stock shall be registered, and the books containing the names of the stockholders, shall at all times, during the usual hours for business, be open to the examination

of every stockholder at its principal office in this state; and the secretary, or other officer having charge of said books, shall make out, at least ten days before every election after the first election, a full, true and complete list, in alphabetical order, of all the stockholders entitled to vote at the ensuing election, with the number of shares held by each, which list shall at all times during the usual hours for business be open to the examination of any stockholder at said office, and if any officer having charge of such books or list shall, upon demand by any stockholder, refuse or neglect to exhibit such books or list, or submit them to examination as aforesaid, he shall for every such offense forfeit the sum of two hundred dollars, the one-half thereof to the use of the state of New Jersey, and the other half to him who will sue for the same, to be recovered by action of debt in any court of record, together with costs of suit; and the books aforesaid shall be the only evidence as to who are the stockholders entitled to examine such books, or list, and to vote at such election; and the board of directors shall produce at the time and place of such election such books and list, there to remain during the election, subject to the inspection of any stockholder; and the neglect or refusal of said directors to produce the same shall render them ineligible to any office at such election.

Duties of secretary.

Penalty for refusing to exhibit books, etc.

34. All elections for directors shall be by ballot (unless otherwise expressly provided in the charter or certificate of incorporation), and the poll at every such election shall be opened between the hours of nine o'clock in the morning and five o'clock in the afternoon, and shall continue open at least one hour by daylight, and shall close before nine o'clock in the evening; and the persons receiving the greatest number of votes shall be the directors.

Elections to be by ballot.

35. No person who is a candidate for the office of director shall act as judge, inspector or clerk of any election for directors; and if any candidate shall so act and be elected, his election shall be void, and the directors shall not appoint such person a director within twelve months next succeeding; this section shall not apply to the first election of directors.

No candidate to act as judge, etc., of election.

36. Unless otherwise provided in the charter, certificate or by-laws of the corporation, at every election

Each share entitled to a vote.

each stockholder, whether resident or non-resident, shall be entitled to one vote in person or by proxy for each share of the capital stock held by him, but no proxy shall be voted on after three years from its date; nor shall any share of stock be voted on at any election which has been transferred on the books of the corporation within twenty days next preceding such election.

Proxies allowed.

Persons holding stock as executors, etc., may vote.

37. Every person holding stock as executor, administrator, guardian or trustee, or in any other representative or fiduciary capacity, may represent the same at all meetings of the corporation, and may vote thereon as a stockholder, and every person who shall pledge his stock as collateral security may, nevertheless, represent the same at all such meetings, and may vote thereon as a stockholder, unless in the transfer to the pledgee on the books of the corporation he shall have expressly empowered the pledgee to vote thereon, in which case only the pledgee or his proxy may represent said stock and vote thereon.

Stock owned by corporation not to be voted.

38. Shares of stock of a corporation belonging to said corporation shall not be voted upon directly or indirectly.

Directors to be stockholders.

39. No person shall be elected a director of any corporation issuing stock unless he shall be, at the time of his election, a bona fide holder of some of the stock thereof; and any director ceasing to be a bona fide holder of some of the stock thereof shall cease to be a director; any corporation may, by its certificate of incorporation or by-laws, determine how many shares a person shall hold to qualify him to be a director.

Transfer books to determine who are stockholders.

40. In case the right to vote upon any share of stock shall be questioned, the inspectors of the election shall refer to the stock books of the corporation to ascertain who are the stockholders, and in case of a discrepancy between the books, the transfer book shall control and determine who are entitled to vote.

Failure to hold election.

41. If the election for directors of any corporation shall not be held on the day designated by the act or certificate of incorporation or by-laws, the directors shall cause the election to be held as soon thereafter as conveniently may be; no failure to elect directors at the designated time shall work any forfeiture or dissolution of the corporation, but any justice of the supreme court may summarily order an election to be held upon the

Failure to elect directors not to dissolve corporation.

application of any stockholder, and may punish the directors for contempt of court for failure to obey the order.

42. The supreme court, upon application of any person who may be aggrieved by or complain of any election, or any proceeding, act or matter in or touching the same, reasonable notice having been given to the adverse party, or to those who are to be affected thereby, of such intended application, shall proceed forthwith, and in a summary way hear the affidavits, proofs and allegations of the parties, or otherwise inquire into the matter or causes of complaint, and thereupon establish the election so complained of, or order a new election, or make such order, and give such relief in the premises as right and justice may require; the court may, if the case require it, either order an issue to be made up in manner and form as it may direct, to try the rights of the respective parties to the office or franchise in question, or may give leave to exhibit, or direct the attorney-general to exhibit, an information in the nature of a quo warranto in relation thereto.

Supreme court may proceed summarily to review proceedings at elections.

43. Every corporation, foreign or domestic, authorized to transact business in this state, shall file in the office of the secretary of state, annually, within thirty days after every election of directors, a statement, authenticated by the signatures of the president and secretary, containing the names of all the directors and officers, with the date of election or appointment, term of office, residence and post-office address of each, the character of its business, the location, giving the street and number, if any, of its principal office in this state, and the name of the agent in charge of said office, upon whom process against the corporation may be served; and for this purpose the secretary of state shall furnish blanks in proper form and safely keep in his office all such statements, and issue to the corporations filing the same his certificate thereof, and also prepare an alphabetical index thereof, which statements and index shall be submitted to the inspection of persons interested at all proper hours; and every corporation failing to comply with the provisions of this section shall forfeit to the state two hundred dollars, to be recovered with costs in

All corporations to file statement of election of officers and directors annually.

Penalty for failure to comply with this section.

an action of debt to be prosecuted by the attorney-general, who shall prosecute such actions whenever it shall appear that this section has been violated; this section shall not apply to any corporation which is required to file a similar statement in the office of the commissioner of banking and insurance.

Meetings of stockholders to be in this state when not otherwise provided by law.

Directors may hold meetings outside of state.

Principal office and agent in this state.

Court may order books brought within this state.

Penalty for failure to display name of corporation at entrance of office.

Calling of meetings by stockholders.

44. In all cases where it is not otherwise provided by law, the meetings of the stockholders of every corporation of this state shall be held at its principal office in this state; the directors may hold their meetings, and have an office, and keep the books of the corporation (except the stock and transfer books) outside of this state, if the by-laws or certificate of incorporation so provide; every corporation shall maintain a principal office in this state, and have an agent in charge thereof, wherein shall be kept the stock and transfer books for the inspection of all who are authorized to see the same, and for the transfer of stock; the court of chancery or the supreme court, or any justice thereof, may, upon proper cause shown, summarily order any or all of the books of said corporation to be forthwith brought within this state, and kept therein at such place and for such time as may be designated in such order, and the charter of any corporation failing to comply with such order may be declared forfeited by the court making such order, and it shall thereupon cease to be a corporation, and all its directors and officers shall be liable to be punished for contempt of court for disobedience of such order.

45. The name of every corporation shall be at all times conspicuously displayed at the entrance of its principal office in this state, and in default thereof the directors shall be jointly and severally liable to a penalty of two hundred dollars, to be recovered with costs, by the state, before any court of competent jurisdiction, by action to be prosecuted by the attorney-general; and they shall jointly and severally be liable to a like penalty for every thirty days' additional default from and after the service of process in the first action, to be recovered in like manner.

46. Whenever, for any reason, a legal meeting of the stockholders of any corporation cannot be otherwise called, three or more stockholders having voting powers

may call such meeting by publishing ten days' notice of the time, place and purposes of the meeting in a newspaper published in the county in which its principal office in this state is located, and mailing such notice to all stockholders whose post-office address is known or can be ascertained; a meeting called as aforesaid shall be a legal meeting of the corporation, and if there be no officers present, the stockholders may elect officers for the meeting; and the secretary of the meeting shall record the proceedings thereof in the book of minutes of the corporation.

IV. DIVIDENDS—PAYMENT OF CAPITAL STOCK.

47. The directors of every corporation created under this act shall, in January in each year, unless some specific day or days for that purpose be fixed in its charter or by-laws, and in that case then on the days so fixed, after reserving over and above its capital stock paid in, as a working capital for said corporation, such sum, if any, as shall have been fixed by the stockholders, declare a dividend among its stockholders of the whole of its accumulated profits exceeding the amount so reserved, and pay the same to such stockholders on demand; *provided*, that the corporation may in its certificate of incorporation or in its by-laws give the directors power to fix the amount to be reserved as a working capital.

Directors to declare dividends annually.

Proviso.

48. Nothing but money shall be considered as payment of any part of the capital stock of any corporation organized under this act, except as hereinafter provided in case of the purchase of property, and no loan of money shall be made to a stockholder or officer thereof; and if any such loan be made the officers who make it, or assent thereto, shall be jointly and severally liable, to the extent of such loan and interest, for all the debts of the corporation until the repayment of the sum so loaned.

Payment of capital stock to be in money, and no loans to stockholders.

49. Any corporation formed under this act may purchase mines, manufactories or other property necessary for its business, or the stock of any company or companies owning, mining, manufacturing or producing materials, or other property necessary for its business,

Corporations may purchase property and issue stock.

and issue stock to the amount of the value thereof in payment therefor, and the stock so issued shall be full-paid stock and not liable to any further call, neither shall the holder thereof be liable for any further payment under any of the provisions of this act; and in the absence of actual fraud in the transaction, the judgment of the directors as to the value of the property purchased shall be conclusive; and in all statements and reports of the corporation to be published or filed this stock shall not be stated or reported as being issued for cash paid to the corporation, but shall be reported in this respect according to the fact.

Certain corporations may subscribe, hold and dispose of stock and bonds of other companies.

50. Corporations having for their object the building, constructing or repairing of railroads, water, gas or electric works, tunnels, bridges, viaducts, canals, hotels, wharves, piers or any like works of internal improvement or public use or utility, may subscribe for, take, pay for, hold, use and dispose of stock or bonds in any corporations formed for the purpose of constructing, maintaining and operating any such public works; and the directors of any such corporation formed for the purpose of constructing, maintaining and operating any public work of the description aforesaid may accept in payment of any such subscription, or purchase, real or personal property, necessary for the purposes of such corporation, or work, labor and services performed or materials furnished to or for such corporation to the amount of the value thereof, and from time to time issue upon any such subscription or purchase, in such installments or proportions as such directors may agree upon, full-paid stock in full or partial performance of the whole or any part of such subscription or purchase, and the stock so issued shall be full-paid stock and not liable to any further call, neither shall the holder thereof be liable for any further payments, and in all statements and reports of the corporation to be published or filed this stock shall not be stated or reported as being issued for cash paid to the corporation, but shall be reported in this respect according to the fact.

Directors may accept in payment of subscriptions, &c., stock of other corporations.

Corporations authorized to hold, sell and dispose of stock and bonds of other corporations.

51. Any corporation may purchase, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the shares of the capital stock of, or any bonds, securities or evidences of indebtedness created by any other corpora-

tion or corporations of this or any other state, and while owner of such stock may exercise all the rights, powers and privileges of ownership, including the right to vote thereon.

52. If any certificate made, or any public notice given by the officers of any corporation, in pursuance of the provisions of this act, shall be false in any material representation, all the officers who shall have signed the same, knowing it to be false, shall be jointly and severally liable for all the debts of the corporation contracted while they were stockholders or officers thereof, as a penalty enforceable in the courts of this state only.

Officers signing false certificates liable for debts of corporation.

V. WINDING UP.

53. All corporations, whether they expire by their own limitation or be annulled by the legislature or otherwise dissolved, shall be continued bodies corporate for the purpose of prosecuting and defending suits by or against them, and of enabling them to settle and close their affairs, to dispose of and convey their property and to divide their capital, but not for the purpose of continuing the business for which they were established.

Continuance of corporate existence for settling up business.

54. Upon the dissolution in any manner of any corporation the directors shall be trustees thereof, with full power to settle the affairs, collect the outstanding debts, sell and convey the property and divide the moneys and other property among the stockholders, after paying its debts, as far as such moneys and property shall enable them; they shall have power to meet and act under the by-laws of the corporation and, under regulations to be made by a majority of said trustees, to prescribe the terms and conditions of the sale of such property, and may sell all or any part for cash, or partly on credit, or take mortgages and bonds for part of the purchase price for all or any part of said property.

Directors to be trustees upon dissolution.

55. The directors, constituted trustees as aforesaid, shall have authority to sue for and recover the aforesaid debts and property, by the name of the corporation, and shall be suable by the same name, or in their own names or individual capacities, for the debts owing by such corporation, and shall be jointly and severally responsible

Powers and liabilities of trustees.

for such debts, to the amount of the moneys and property of the corporation which shall come to their hands or possession as such trustees.

Appointment of receiver to wind up company on petition.

56. When any corporation shall be dissolved in any manner whatever, the court of chancery, on application of any creditor or stockholder at any time, may either continue the directors trustees as aforesaid, or appoint one or more persons to be receivers of such corporation, to take charge of the estate and effects thereof, and to collect the debts and property due and belonging to the corporation, with power to prosecute and defend, in the name of the corporation or otherwise, all suits necessary or proper for the purposes aforesaid, and to appoint an agent or agents under them, and to do all other acts which might be done by such corporation, if in being, that may be necessary for the final settlement of its unfinished business; and the powers of such trustees or receivers may be continued as long as the court shall think necessary for such purposes.

Jurisdiction of court of chancery.

57. The court of chancery shall have jurisdiction of said application and of all questions arising in the proceedings thereon, and may make such orders and decrees therein as justice and equity shall require.

Duties of receiver.

58. The said trustees or receivers shall pay ratably, as far as its moneys and property shall enable them, all the creditors of the corporation who prove their debts in the manner directed by the court; and if any balance remain after the payment of such debts and necessary expenses, the same shall be distributed among the stockholders.

Suits not to abate on dissolution.

59. Any action, now pending or to be hereafter begun, against any corporation which may become dissolved before final judgment, shall not abate by reason thereof, but no judgment shall be entered therein except upon notice to the trustees or receivers of the corporation.

Copy of decree of dissolution to be filed in office of secretary of state.

60. A copy of every decree or judgment dissolving a corporation or forfeiting its charter shall be forthwith filed by the clerk of the court in the office of the secretary of state, and a note thereof shall be made by the secretary of state on the charter or certificate of incorporation, and in the index thereof, and be published by him in the annual volume of laws.

VI. EXECUTION AGAINST CORPORATION.

61. Every agent or person having charge or control of any property of a corporation, on request of any public officer, having for service a writ of execution against it, shall furnish to him the names of the directors and officers thereof, and a schedule of all its property, including debts due or to become due to it, so far as he may have knowledge of the same.

On execution, schedule of property, etc., to be furnished.

62. If any officer, holding an execution, shall be unable to find other property belonging to the corporation liable to execution, he or the judgment creditor may elect to satisfy such execution, in whole or in part, by any debts due to the corporation; and it shall be the duty of any agent or person having custody of any evidence of such debt, to deliver the same to the officer, for the use of the creditor, and such delivery, with a transfer to the officer in writing, for the use of the creditor, and notice to the debtor, shall be a valid assignment thereof; and such creditor may sue for and collect the same in the name of the corporation, subject to such equitable set-offs on the part of the debtor as in other assignments; and every agent or person who shall neglect or refuse to comply with the provisions of this and the last preceding section, shall be himself liable to pay to the execution creditor the amount due on said execution, with costs.

Execution may be satisfied by debts due the corporation.

Penalty.

VII. INSOLVENCY.

63. Whenever any corporation shall become insolvent, the directors, within ten days thereafter, shall call a meeting of the stockholders, and lay before them for inspection and examination all the books of accounts, by-laws and minutes of the corporation, and exhibit a full and true statement of all its estate, funds and property, and of all the debts due and owing to it, and by whom, and of all the debts owing by it, and to whom, as far as the directors can at that time make out the same; so as to exhibit to the stockholders a full, fair and true account of the situation of the affairs of the corporation.

Duties of directors in case of insolvency.

Exhibit to be made.

Unlawful to convey, sell, &c., property in case of insolvency.

64. Whenever any corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, neither the directors nor any officer or agent of the corporation shall sell, convey, assign or transfer any of its estate, effects, choses in action, goods, chattels, rights or credits, lands or tenements; nor shall they or either of them make any such sale, conveyance, assignment or transfer in contemplation of insolvency, and every such sale, conveyance, assignment or transfer shall be utterly null and void as against creditors; *provided*, that a bona fide purchase for a valuable consideration, before the corporation shall have actually suspended its ordinary business, by any person without notice of such insolvency or of the sale being made in contemplation of insolvency, shall not be invalidated or impeached.

Proviso.

Remedy in chancery by bill, &c.

65. Whenever any corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, 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 corporation 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 corporation 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.

May issue injunction.

Court may appoint receivers.

66. The court of chancery, at the time of ordering said injunction, or at any time afterwards, may appoint a receiver or receivers or trustees for the creditors and

stockholders of the corporation, with full power and authority to demand, sue for, collect, receive and take into their possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes and property of every description of the corporation, and to institute suits at law or in equity for the recovery of any estate, property, damages or demands existing in favor of the corporation, and in his or their discretion to compound and settle with any debtor or creditor of the corporation, or with persons having possession of its property or in any way responsible at law or in equity to the corporation at the time of its insolvency or suspension of business, or afterwards, upon such terms and in such manner as he or they shall deem just and beneficial to the corporation, and in case of mutual dealings between the corporation and any person to allow just sets offs in favor of such person in all cases in which the same ought to be allowed according to law and equity; a debtor who shall have in good faith paid his debt to the corporation without notice of its insolvency or suspension of business, shall not be liable therefor, and the receiver or receivers or trustees shall have power to sell, convey and assign all the said estate, rights and interests, and shall hold and dispose of the proceeds thereof under the directions of the court of chancery; the word receiver as used in this act shall be construed to include receivers and trustees appointed as provided in this act.

Powers of receivers.

67. Every receiver shall before acting enter into such bond and comply with such terms as the court may prescribe, and take and subscribe the following oath or affirmation: "I, ———, do swear (or affirm) that I will faithfully, honestly and impartially execute the powers and trusts reposed in me as receiver, for the creditors and stockholders of the ———, and that without favor or affection," which oath or affirmation shall be filed in the office of the clerk in chancery within ten days after the taking thereof.

Oath of receiver.

68. All the real and personal property of an insolvent corporation, wheresoever situated, and all its franchises, rights, privileges and effects shall, upon the appointment of a receiver, forthwith vest in him, and the corporation shall be divested of the title thereto.

Property vested in receiver.

When debts have been paid, court may order receiver to reconvey property.

69. Whenever a receiver shall have been appointed as aforesaid and it shall afterwards appear that the debts of the corporation have been paid or provided for, and that there remains or can be obtained by further contributions sufficient capital to enable it to resume its business, the court of chancery may, in its discretion, a proper case being shown, direct the receiver to reconvey to the corporation all its property, franchises, rights and effects, and thereafter the corporation may resume control of and enjoy the same as fully as if the receiver had never been appointed; and in every case in which the court of chancery shall not direct such reconveyance, said court may, in its discretion, make a decree dissolving the corporation and declaring its charter forfeited and void.

Court may dissolve corporation.

Upon re-organization, may issue bonds or stock, etc., to creditors.

70. Whenever a majority in interest of the stockholders of such corporation shall have agreed upon a plan for the re-organization of the corporation and a resumption by it of the management and control of its property and business, such corporation may, with the consent of the court of chancery, upon the reconveyance to it of its property and franchises, mortgage the same for such amount as may be necessary for the purposes of such re-organization; and may issue bonds or other evidences of indebtedness, or additional stock, or both, and use the same for the full or partial payment of the creditors who will accept the same, or otherwise dispose of the same for the purposes of the re-organization.

Power of receivers to examine witnesses, etc.

71. Such receiver shall have power to send for persons and papers and to examine any persons, including the creditors and claimants, and the president, directors and other officers and agents of the corporation, on oath or affirmation (which oath or affirmation the receiver may administer), respecting its affairs and transactions and its estate, money, goods, chattels, credits, notes, bills and choses in action, real and personal estate and effects of every kind, and also respecting its debts, obligations, contracts and liabilities, and the claims against it; and if any person shall refuse to be sworn or affirmed, or to make answers to such questions as shall be put to him, or refuse to declare the whole truth touching the subject-matter of the said examination, the court of chancery

may, on report by the receiver, commit such person to prison, there to remain until he shall submit himself to be examined, and pay all the costs of the proceedings against him.

72. Such receiver, with the assistance of a peace officer, may break open, in the daytime, the houses, shops, warehouses, doors, trunks, chests, or other places of the corporation where any of its goods, chattels, choses in action, notes, bills, moneys, books, papers or other writings or effects, have been usually kept, or shall be, and take possession of the same, and of the lands and tenements belonging to the corporation.

Power to search, etc.

73. Every matter and thing by this act required to be done by receivers or trustees shall be good and effectual, to all intents and purposes, if performed by a majority of them; and the court of chancery may remove any receiver or trustee, and appoint another or others in his place or fill any vacancy which may occur.

Acts of receivers valid.

May be removed and others appointed

74. Such receiver, as soon as convenient, shall lay before the court of chancery a full and complete inventory of all the estate, property and effects of the corporation, its nature and probable value, and an account of all debts due from and to it, as nearly as the same can be ascertained, and make a report to the court of his proceedings every six months thereafter during the continuance of the trust.

Inventory and report.

75. The court of chancery may limit the time within which creditors shall present and make proof to such receiver of their respective claims against the corporation, and may bar all creditors and claimants failing so to do within the time limited from participating in the distribution of the assets of the corporation; the court may also prescribe what notice, by publication or otherwise, shall be given to creditors of such limitation of time.

Court may limit time for creditors to make proof of claims.

76. Every claim against an insolvent corporation shall be presented to the receiver in writing and upon oath; and the claimant, if required, shall submit himself to such examination in relation to the claim as the receiver shall direct, and shall produce such books and papers relating to the claim as shall be required; and the receiver shall have power to examine, under oath or

Claims to be under oath.

Receiver
may examine
under oath.

affirmation, all witnesses produced before him touching the claims, and shall pass upon and allow or disallow the claims, or any part thereof, and notify the claimants of his determination.

Trial by jury
allowed at the
circuit.

77. Any creditor or claimant who shall lay his claim before such receiver may, at the same time, demand that a jury shall decide thereon, and in like manner the receiver may demand that the same shall be referred to a jury; and in either case such demand shall be entered on the minutes of the receiver, and thereupon an issue shall be made up between the parties, under the direction of one of the justices of the supreme court, and a jury impaneled, as in other cases, to try the same in the circuit court of the county in which the corporation carried on its business or had its principal office; the verdict of the jury shall be subject to the control of the supreme court, as in suits originally instituted therein, and when rendered, if not set aside by the court, shall be certified by the clerk of the supreme court to the receiver; the creditor shall be considered, in all respects, as having proved his debt or claim for the amount so ascertained to be due, and in all cases in which no trial by jury shall be demanded the court of chancery shall have jurisdiction to pass upon the claims presented and to determine the rights of the claimants, and to make such order or decree touching the same as shall be equitable and just.

Persons
aggrieved by
proceedings
may appeal.

78. Every such insolvent corporation, or any person aggrieved by the proceedings or determination of such receiver in the discharge of his duty, may appeal to the court of chancery, 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.

Upon applica-
tion, receiver to
be substituted as
party to suits.

79. Such receiver shall, upon application by him, be substituted as party plaintiff or complainant in the place and stead of the corporation in any suit or proceeding at law or in equity which was pending at the time of his appointment.

Suits not to abate
by death of
receiver.

80. No action against a receiver of a corporation shall abate by reason of his death, but, upon suggestion of the facts on the record, shall be continued against his

successor, or against the corporation in case no new receiver be appointed.

81. Where property of an insolvent corporation is at the time of the appointment of a receiver encumbered with mortgages on other liens, the legality of which is brought in question, and the property is of a character materially to deteriorate in value pending the litigation, the court of chancery may order the receiver to sell the same, clear of encumbrances, at public or private sale, for the best price that can be obtained, and pay the money into the court, there to remain subject to the same liens and equities of all parties in interest as was the property before sale, to be disposed of as the court shall direct.

Court may order receiver to sell lands, etc.

82. Whenever a receiver of a corporation shall have charge of a canal, railroad, turnpike or other work of a public nature, in which the value of the work is dependent upon the franchise, and in the continuance of which the public as well as the stockholders and creditors have an interest, the receiver may sell or lease the principal work for the construction whereof the said corporation was organized, together with all the chartered rights, privileges and franchises belonging to it and appertaining to such principal work; and the purchaser or purchasers, lessee or lessees of such principal work, chartered rights, privileges and franchises, shall thereafter hold, use and enjoy the same during the whole of the residue of the term limited in the charter of said corporation, or during the term in such lease specified, in as full and ample a manner as such corporations could or might have used and enjoyed the same; subject, however, to all the restrictions, limitations and conditions contained in such charter; *provided*, that nothing in this section contained shall be so construed as to apply to or in anywise affect any corporation authorized by law to exercise banking privileges.

Receiver may sell or lease principal work, chartered rights, etc.

Proviso.

83. In case of the insolvency of any corporation the laborers and workmen, and all persons doing labor or service of whatever character, in the regular employ of such corporation, shall have a first and prior lien upon the assets thereof for the amount of wages due to them respectively for all labor, work and services done, per-

Laborers and workmen to have first lien on assets.

formed or rendered within two months next preceding the date when proceedings in insolvency shall be actually instituted and begun against such insolvent corporation.

Chattel mortgages to be first liens.

84. Such lien shall be prior to all other liens that can or may be acquired upon or against such assets, except the lien and encumbrance of a chattel mortgage, recorded more than two months next preceding the date when proceedings in insolvency shall have been actually instituted against such insolvent corporation, and except the lien and encumbrance of a chattel mortgage recorded within two months next preceding the date when proceedings in insolvency shall have been actually instituted against such insolvent corporation, for money loaned or for goods purchased within said period of two months; and also except as against the lien of mortgages given upon the lands and real estate of such insolvent corporation.

Compensation of receivers.

85. Before distribution of the assets of an insolvent corporation among the creditors or stockholders the court of chancery shall allow a reasonable compensation to the receiver for his services and the costs and expenses of the administration of his trust, and the costs of the proceedings in said court, to be first paid out of said assets.

Distribution, how made

86. After payment of all allowances, expenses and costs, and the satisfaction of all special and general liens upon the funds of the corporation to the extent of their lawful priority, the creditors shall be paid proportionally to the amount of their respective debts, excepting mortgage and judgment creditors when the judgment has not been by confession for the purpose of preferring creditors; and the creditors shall be entitled to distribution on debts not due, making in such case a rebate of interest, when interest is not accruing on the same; and the surplus funds, if any, after payment of the creditors and the costs, expenses and allowances aforesaid, and the preferred stockholders, shall be divided and paid to the general stockholders proportionally, according to their respective shares.

VIII. SERVICE OF PROCESS.

87. In any personal action commenced against a corporation in any of the courts of law of this state, the first process to be made use of may be a summons, a copy whereof shall be served on the president, or other head officer or agent in charge of its principal office in this state, or left at his dwelling-house or usual place of abode, at least six days before its return; and in case the president or other head officer or agent cannot be found to be served with process, and has no dwelling-house, or usual place of abode within this state, a copy of the summons shall be served on the clerk or secretary of the corporation, if any there be, and if no clerk or secretary, then on one of its directors, or left at his dwelling-house, or usual place of abode, six days before its return.

Process against corporations of this state.

88. In all personal suits or actions hereafter brought in any court of this state, against any foreign corporation, process may be served upon any officer, director, agent, clerk or engineer of such corporation, either personally or by leaving a copy thereof at his dwelling-house or usual place of abode, or by leaving a copy at the office, depot or usual place of business of such foreign corporation.

Process against foreign corporations.

89. When the sheriff or other officer shall return such summons "served" or "summoned," the defendant shall be considered as appearing in court, and may be proceeded against accordingly.

When defendant in court.

90. In case the sheriff or other officer shall return a summons, issued against any corporation of this state, "not served" or "not summoned," and an affidavit shall be made to the satisfaction of the court that process cannot be served upon it, the court shall make an order directing the defendant to cause its appearance to be entered to the action, on a day to be specified in the order, a copy of which order shall be inserted in one of the newspapers published in this state, for at least three weeks, once in each week, and a copy thereof shall also be posted in three public places in this state, as shall be ordered by the court, for at least three weeks, and if the

Proceedings when summons returned "not served" or "not summoned."

defendant shall not appear within the time limited by the order, or within such further time as the court shall limit, then, on proof of the publication and posting of the order, the court shall order the clerk to enter appearance for the defendant, and thereupon the action shall proceed as if the defendant had entered its appearance to the action.

Corporation not to alien lands during suit if order for publication is made.

91. No corporation against which an order for publication shall be made, as aforesaid, shall grant, bargain, sell, alien or convey any lands, tenements or real estate in this state (in case the said summons issued out of the supreme court), or in the county in which the said summons shall have been issued (in case the said summons issued out of the circuit court or the court of common pleas), of which it shall be seized or entitled to at the time of making such order, until the plaintiff in the action shall be satisfied his legal demand, or until judgment shall be entered for the defendants; and the said action shall be and remain a lien on such lands, tenements and real estate, from the time of entering the said order for publication in the minutes of the court, and the said lands, tenements and real estate shall and may be sold on execution, as if no conveyance had been made by the said corporation.

IX. REMEDIES AGAINST OFFICERS AND STOCKHOLDERS.

Action for liability imposed by act.

92. When the officers, directors or stockholders of any corporation shall be liable to pay the debts of the corporation, or any part thereof, any person to whom they are liable may have an action against any one or more of them; and the declaration shall state the claim against the corporation, and the ground on which the plaintiff expects to charge the defendants personally; or the person to whom they are liable may have his remedy by bill in chancery.

Remedy in chancery.

Stockholders, etc., who pay company's debts may recover.

93. Any officer, director or stockholder who shall pay any debt of a corporation for which he is made liable by the provisions of this act, may recover the amount so paid, in an action against the corporation for money paid for its use, in which action only the property of the corporation shall be liable to be taken, and not the property of any stockholder.

94. No sale or other satisfaction shall be had of the property of any director or stockholder for any debt of the corporation of which he is such director or stockholder till judgment be obtained therefor against such corporation and execution thereon returned unsatisfied, but any suit brought against any director or stockholder for such debts shall stay after execution levied, or other proceedings to acquire a lien, until such return shall have been made.

No sale or satisfaction to be had of property until judgment is obtained.

X. FOREIGN CORPORATIONS.

95. Any corporation created by any other state or by any foreign state, kingdom or government may acquire by devise or otherwise and hold, mortgage, lease and convey real estate in this state for the purpose of prosecuting its business or objects, or such real estate as it may acquire by way of mortgage or otherwise, in the payment of debts due such corporation; *provided*, such foreign state, kingdom or government, under whose laws such corporation was created, shall not be at the time of such purchase at war with the United States.

Foreign corporations may hold and convey lands, etc.

Proviso.

96. Foreign corporations doing business in this state shall be subject to the provisions of this act, so far as the same can be applied to foreign corporations.

Foreign corporations subject to this act.

97. Every foreign corporation, except banking, insurance, ferry and railroad corporations, before transacting any business in this state, shall file in the office of the secretary of state a copy of its charter or certificate of incorporation, attested by its president and secretary, under its corporate seal, and a statement attested in like manner of the amount of its capital stock authorized and the amount actually issued, the character of the business which it is to transact in this state, and designating its principal office in this state and an agent who shall be a domestic corporation or a natural person of full age actually resident in this state, together with his place of abode, upon which agent process against such corporation may be served, and the agency so constituted shall continue until the substitution, by writing, of another agent; upon the filing of such copy and statement the secretary of state shall issue to such cor-

Foreign corporations to file copy of charter, statement, etc., before commencing business.

Certificate of authority to issue.

poration a certificate that it is authorized to transact business in this state, and that the business is such as may be lawfully transacted by corporations of this state, and he shall keep a record of all such certificates issued.

Cannot maintain actions until certificate of secretary of state is obtained.

98. Until such corporation so transacting business in this state shall have obtained said certificate of the secretary of state, it shall not maintain any action in this state, upon any contract made by it in this state; *provided*, that nothing herein shall prevent the enforcement of any contract made prior to the fourteenth day of March, one thousand eight hundred and ninety-five.

Proviso.

To appoint agent in case of death.

99. If said agent shall die, remove from the state or become disqualified, such corporation shall forthwith file in the office of the secretary of state a written appointment of another agent, attested in the manner above provided, and in case of the omission to do so within thirty days after such death, removal or disqualification, then the secretary of state, upon being satisfied that such omission has continued for thirty days, shall, by entry on the record thereof, revoke the certificate of authority to transact business within this state, and process against such corporation in actions upon any liability incurred within this state before the designation of another agent may, after such revocation, be served upon the secretary of state; at the time of such service the plaintiff shall pay to the secretary of state for the use of the state two dollars, to be included in the taxable costs of such plaintiff, and the secretary of state shall forthwith mail a copy of such process to such corporation at its general office or to the address of some officer thereof, if known to him.

Failure to comply, authority to transact business to be revoked.

Unlawful to transact business until conditions are complied with.

100. Every foreign corporation transacting any business in any manner whatsoever, directly or indirectly, in this state, without having first obtained authority therefor, as hereinabove provided, shall for each offense forfeit to the state the sum of two hundred dollars, to be recovered with costs in an action prosecuted by the attorney-general in the name of the state.

Foreign corporations to pay same fees, etc., imposed upon corporations of this state by laws of other states.

101. When, by the laws of any other state or nation, any other or greater taxes, fines, penalties, licenses, fees or other obligations or requirements are imposed upon corporations of this state, doing business in such other

state or nation, or upon their agents therein, than the laws of this state impose upon their corporations or agents doing business in this state, so long as such laws continue in force in such foreign state or nation, the same taxes, fines, penalties, licenses, fees, obligations and requirements of whatever kind shall be imposed upon all corporations of such other state or nation doing business within this state and upon their agents here; *provided*, that nothing herein shall be held to repeal any duty, condition or requirement now imposed by law upon such corporations of other states or nations transacting business in the state.

Proviso.

102. In any proceeding in any court of this state against a foreign corporation requiring the use of any prerogative writ, such writ may be served upon the president, vice-president, secretary or other head officer, or any director, either personally or by leaving a copy at the dwelling-house or usual place of abode of such officer or director, or upon any general agent, attorney, solicitor, superintendent or manager of such corporation.

Writs against foreign corporations: how served.

103. In case any such corporation, after the service of any such writ, as aforesaid, shall neglect or refuse to make a proper return thereto, or shall neglect or refuse to obey the command of any such writ, when issued upon any judgment, order or decree of the supreme court, court of chancery, or any of the circuit courts of this state, and served as aforesaid, within the time prescribed by such writ, said court may enforce such writs by attachment or sequestration of the property, rights and credits of the corporation within this state.

How writs may be enforced upon failure to make return, etc.

XI. MERGER OF CORPORATIONS.

104. Any two or more corporations organized or to be organized under any law or laws of this state for the purpose of carrying on any kind of business of the same or a similar nature may merge or consolidate into a single corporation, which may be either one of said merging or consolidating corporations, or a new corporation to be formed by means of such merger and consolidation; but the provisions of this act relative to

Corporations of this state may merge and consolidate.

merger and consolidation shall not apply to any railroad company, insurance company (except companies for the insurance or guaranty of the title to lands), banking company, savings bank or other corporation intended to derive profit from the loan and use of money, turnpike company or canal company.

How consolidation or merger shall be made.

105. The consolidation or merger shall be made under the conditions, provisions, restrictions, and with the powers hereinafter mentioned :

Mode and proceedings for merger and consolidation.

I. The directors of the several corporations proposing to merge or consolidate may enter into a joint agreement under the corporate seals of the respective corporations, for the merger or consolidation of said corporations, and prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation (if one shall be so formed or created), or of the consolidated corporation, as the case may be; the number, names and places of residence of the first directors and officers of such new or consolidated corporation (who shall hold their offices until their successors be chosen or appointed, either according to law or according to the by-laws of the said corporation); the number of shares of the capital stock, whether common or preferred, and the amount or par value of each share of such new or consolidated corporation; and the manner of converting the capital stock of each of said merging or consolidating corporations into the stock or obligations of such new or consolidated corporation, and in case of the creation of a new corporation, how and when the directors and officers shall be chosen or appointed; together with all such other provisions and details as such first-mentioned directors shall deem necessary to perfect the merger consolidation of said corporation.

Agreement to be submitted to stockholders.

II. The agreement shall be submitted to the stockholders of each of said merging or consolidating corporations, separately, at a meeting thereof, to be called for the purpose of taking the same into consideration; and twenty days' notice of the time, place and object of such meeting shall be mailed to the last known post-office address of each of such stockholders; and at the said meetings of stockholders the said agreement of

such directors shall be considered, and a vote of the stockholders of each corporation by ballot shall be taken separately, for the adoption or rejection of the same, each share of stock entitling the holder thereof to one vote, and said ballots shall be cast in person or by proxy; and if the votes of the holders of two-thirds of all the capital stock of each of the said merging or consolidating corporations shall be for the adoption of said agreement, that fact shall be certified thereon by the secretary of each of the respective corporations, under the seal thereof, and the agreement, so adopted and so certified, shall be filed in the office of the secretary of state, and shall from thence be deemed and taken to be the agreement and act of merger or consolidation of the said corporations, and a copy of said agreement and act of merger or consolidation, duly certified by the secretary of state under the seal thereof, shall be evidence of the existence of such new or consolidated corporation.

Votes of two-thirds of capital stock required.

Agreement to be filed.

106. Upon making and perfecting the said agreement and act of merger or consolidation, and filing the same in the office of the secretary of state, the several corporations shall be one corporation, by the name provided in said agreement (in case a new corporation shall be created thereby), or by the name of the consolidated corporation into which said other contracting corporation or corporations shall be so merged or consolidated, as the case may be, and possessing all the rights, privileges, powers and franchises, as well of a public as of private nature, and being subject to all the restrictions, disabilities and duties of each of such corporations so merged or consolidated, except as altered by the provisions of this act.

Corporations merging or consolidating shall be taken one corporation.

107. Upon the consummation of said act of merger or consolidation, all and singular, the rights, privileges, powers and franchises of each of said corporations, and all property, real, personal and mixed, and all debts due on whatever account, as well for stock subscriptions as all other things in action or belonging to each of such corporations, shall be vested in the consolidated corporation; and all property, rights, privileges, powers and franchises, and all and every other interest shall be thereafter as effectually the property of the consolidated

Upon merging or consolidating, rights, etc., to be vested in new corporation.

corporation as they were of the several and respective former corporations, and the title to any real estate, whether by deed or otherwise, under the laws of this state, vested in either of such corporations, shall not revert or be in any way impaired by reason of this act; *provided*, that all rights of creditors and all liens upon the property of either of said former corporations shall be preserved unimpaired, and the respective former corporations may be deemed to continue in existence, in order to preserve the same; and all debts, liabilities and duties of either of said former corporations shall thenceforth attach to said consolidated corporation, and may be enforced against it to the same extent as if said debts, liabilities and duties had been incurred or contracted by it.

Proviso.

Dissenting stockholders may petition court for appointment of appraisers

108. If any of the corporations so authorized to merge or consolidate shall have the right to exercise any franchise, for public use, and any stockholder thereof not voting in favor of such agreement shall dissent therefrom and shall refuse or neglect to convert his stock into the stock of such consolidated corporation, or to dispose thereof in the manner and on the terms specified in such agreement, such dissenting stockholder or such consolidated corporation may, at any time within thirty days after the adoption and filing of the agreement of consolidation, apply by petition to the circuit court of the county in which the chief office of the corporation whose stockholders shall so dissent or neglect, was or is located, on reasonable notice to be prescribed by said court to said consolidated corporation, or to such dissenting stockholder, as the case may be, for the appointment of three disinterested appraisers to appraise the full market value of his stock, without regard to any depreciation or appreciation thereof in consequence of the said merger or consolidation, and whose award (or that of a majority of them) when confirmed by the said court, shall be final and conclusive on all parties, and said consolidated corporation shall pay to such stockholder the value of his stock as aforesaid; and on receiving such payment, or on a tender thereof, or in case of any legal disability or absence from the state, on the payment of such award into said court, said stockholder

Appointment of appraisers.

Award when confirmed to be final.

shall transfer his stock to the said consolidated corporation to be disposed of by the directors thereof, or to be retained for the benefit of the remaining stockholders; and in case the said award is not so paid within thirty days from the filing of said award and confirmation by said court, and notice thereof to be given in the manner aforesaid unto said stockholder or said consolidated corporation, the amount of the award shall be a judgment against said corporation, and may be collected as other judgments in said court are by law collectible.

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 purchase, acquire, hold and dispose of the stocks of other corporations of this state or elsewhere, and exercise in respect thereto all the powers of stockholders thereof, and 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 corporation, as well as upon money capital paid in.

Consolidated corporation authorized to issue bonds and mortgage property.

Proviso.

XII. TAXATION.

110. All real and personal property of every corporation shall be taxed the same as the real and personal

Real and personal property: how taxed.

Proviso. property of an individual; *provided*, that this action shall not apply to railway, turnpike, insurance, canal or banking corporations, or to savings banks, or to cemeteries, church property, or purely charitable or educational associations.

XIII. LOST CERTIFICATES OF STOCK.

New certificates of stock may be issued for certificates lost or destroyed.

111. Every corporation may issue a new certificate of stock in the place of any certificate theretofore issued by it, alleged to have been lost or destroyed, and the directors authorizing such issue of a new certificate may, in their discretion, require the owner of the lost or destroyed certificate, or his legal representatives, to give the corporation a bond, in such sum as they may direct, as indemnity against any claim that may be made against such corporation; a new certificate may be issued without requiring any bond when, in the judgment of the directors, it is proper so to do.

Proceedings in case of refusal to issue new certificate of stock.

112. Whenever any corporation shall have refused to issue a new certificate of stock in place of one theretofore issued by it, or by any corporation of which it is the lawful successor, alleged to have been lost or destroyed, the owner of the lost or destroyed certificate, or his legal representatives, may apply to the circuit court of the county in which the principal office of the corporation is located for an order requiring the corporation to show cause why it should not be required to issue a new certificate of stock in place of the one so lost or destroyed; such application shall be by petition, duly verified, in which shall be stated the name of the corporation, the number and date of the certificate, if known or ascertainable by the petitioner, the number of shares of stock named therein and to whom issued, and a statement of the circumstances attending such loss or destruction; thereupon said court shall make an order requiring the corporation to show cause, at a time and place therein mentioned, why it should not be required to issue a new certificate of stock in place of the one described in the petition; a copy of the petition and order shall be served upon the president or other head officer of the corporation, or on the cashier, secretary or

treasurer thereof, personally, at least ten days before the time designated in the order.

113. At the time and place specified in the order, and on proof of due service thereof, the court shall proceed in a summary manner and in such mode as it may deem advisable to hear the proof and allegations offered in behalf of the petitioner, or the corporation, or other interested party, relative to the subject-matter of inquiry, and if upon such inquiry the court shall be satisfied that the petitioner is the lawful owner of the number of shares of the capital stock, or any part thereof, described in the petition, and that the certificate therefor has been lost or destroyed and cannot, after due diligence, be found, and that no sufficient cause has been shown why a new certificate should not be issued in place thereof, it shall make an order requiring the corporation or other party, within such time as shall be therein designated, to issue and deliver to the petitioner a new certificate for the number of shares of the capital stock of the corporation, which shall be specified in the order as owned by the petitioner, and the certificate for which shall have been lost or destroyed; in making the order the court shall direct that the petitioner deposit such security, or file such bond in such form and with such security as to the court shall appear sufficient to indemnify any person other than the petitioner who shall thereafter appear to be the lawful owner of such certificate stated to be lost or stolen; and the court may also direct publication of such notice, either preceding or succeeding the making of such final order, as it shall deem proper; any person who shall thereafter claim any rights under the certificate so lost or destroyed, shall have recourse to said indemnity, and the corporation shall be discharged from all liability to such person by reason of compliance with the order; and obedience to said order may be enforced by the court by attachment against the officers of the corporation, on proof of their refusal to comply with the same.

Court may proceed in summary manner.

May make order to issue stock.

Petitioner to file bond, etc.

XIV. FEES ON FILING CERTIFICATES. SUNDRY PROVISIONS.

114. On filing any certificate or other paper, relative to corporations, in the office of the secretary of state,

Fees on filing certificates.

the following fees and taxes shall be paid to the secretary of state, for the use of the state: for certificate of incorporation, twenty cents for each thousand dollars of the total amount of capital stock authorized, but in no case less than twenty-five dollars; increase of capital stock, twenty cents for each thousand dollars of the total increase authorized, but in no case less than twenty dollars; consolidation and merger of corporations, twenty cents for each thousand dollars of capital authorized, beyond the total authorized capital of the corporations merged or consolidated, but in no case less than twenty dollars; extension or renewal of corporate existence of any corporation, the same as required for the original certificate of organization by this act; dissolution of corporation, change of name, change of nature of business, amended certificates of organization (other than those authorizing increase of capital stock), decrease of capital stock, increase or decrease of par value or of number of shares, twenty dollars; for filing list of officers and directors, one dollar; filing copy of charter and statement of foreign corporation and issuing certificate of authority to transact business, ten dollars; and for all certificates not hereby provided for, five dollars; *provided*, that no fees shall be required to be paid by any religious or charitable society or association, or educational association having no capital stock.

Proviso.

Surviving incorporators may designate others for organization.

Organization effectual in law.

Mutual association may create capital stock.

115. When one or more of the commissioners or incorporators of any corporation, created by or under any general or special act, shall have died before the corporation shall have been organized, pursuant to law, the survivors or survivor may in writing designate other persons who may take the place and act instead of those deceased, in the organization; and the organization so effected by their aid shall be as effectual in law as if it had been effected by all the original commissioners or incorporators.

116. The members of any mutual association heretofore or hereafter incorporated, may provide for and create a capital stock of such corporation, upon the consent in writing of all the members of corporation, and may provide for the payment of such stock, and fix and prescribe the rights and privileges of the stockholders therein.

117. The secretary of state shall annually compile from the records of his office, and publish a complete list, in alphabetical order, of the original and amended certificates of incorporation filed during the preceding year, together with the location of the principal office of each in this state, the name of the agent in charge thereof, the amount of the authorized capital stock, the amount with which business is to be commenced, the date of filing the certificate and the period for which the corporation is to continue.

Secretary of state to compile and publish list of corporations.

118. The act entitled "An act concerning corporations" (Revision), approved April seventh, one thousand eight hundred and seventy-five, and all acts amendatory thereof and supplemental thereto, except so far as herein expressly re-enacted, are hereby repealed; but no existing corporation shall be thereby dissolved, nor shall the powers specified in its charter or certificate of incorporation be thereby impaired or limited, and vested rights acquired under the repealed acts and actually exercised and enjoyed shall not be divested or disturbed, but no special provision relating to taxation, or immunity or exemption therefrom, contained in any special charter, shall be revived or continued by anything in this act; all acts and parts of acts, general and special, inconsistent with this act are hereby repealed; but this repealer shall not revive any act heretofore repealed.

Repealer.

Vested rights not impaired.

Approved April 21, 1896.

CHAPTER 186.

An Act relating to steam heat and power companies.

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

1. Any corporation organized or to be organized by virtue of the act entitled "An act concerning corporations," for the purpose of producing and distributing steam heat or power, shall have full authority to lay the necessary pipes and conduits beneath the public roads,

Authorized to lay pipes and conduits beneath public roads, etc.

highways, streets, avenues and alleys in this state; *provided, however*, that said pipes and conduits shall be laid at least two feet below the surface of the same, and shall not in any wise unnecessarily obstruct or interfere with public travel, or damage public or private property; *and provided, also*, that the consent of the board of aldermen, common council or other legislative body of any such cities, towns or townships wherein or through which it is contemplated to lay such pipes and conduits beneath such public roads, highways, streets, avenues or alleys, shall first and as a condition precedent be obtained, before any of such public roads, highways, streets, avenues or alleys shall be disturbed, opened or dug up, such consent of such board to be by ordinance of such board duly adopted; that such use of public streets or highways in any of the cities, towns or townships of this state shall be subject to such terms, regulations and restrictions as may be imposed by the common council, board of aldermen or other legislative body of such cities, towns or townships, and that the portions of the surfaces of the streets disturbed in laying the said pipes shall be immediately restored to their original condition, and that any pavements which are removed for the purpose of laying or repairing the pipes shall be restored in as good condition as they were previous thereto, and so maintain for six months after the completion of the works, and in case of failure on the part of the owners of said pipes to so restore and maintain the same, the street commissioner or other officer having supervision of the streets may properly restore and maintain the same, and the cost thereof may be recovered by the city from the owners of said pipes in any court of competent jurisdiction.

Pipes and conduits; how laid.

2. Any pipes or conduits laid in any of the public roads, highways, streets, avenues and alleys to be used for conveying steam heat or power, shall be laid at a distance not less than three feet from the outside of any water or gas pipe already laid, except in cases where it shall be necessary that said pipes or conduits shall cross any such water or gas pipe, and then said pipes or conduits shall be at least twelve inches distant from the outside of any water or gas pipes already laid.

Approved April 21, 1896.

CHAPTER 187.

A Further Supplement to an act entitled "An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and ninety-four.

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

1. If any corporation heretofore or hereafter created shall for two consecutive years neglect or refuse to pay the state any tax which has been or shall be assessed against it under any law of this state and made payable into the state treasury, the charter of such corporation shall be void, and all powers conferred by law upon such corporation are hereby declared inoperative and void, unless the governor shall, for good cause shown to him, give further time for the payment of such taxes, in which case a certificate thereof shall be filed by the governor in the office of the comptroller, stating the reasons therefor.

Failure to pay
state tax,
charters void.

2. On or before the first day of May in each year the comptroller shall report to the governor a list of all the corporations which for two years next preceding such report have failed, neglected or refused to pay the taxes assessed against them under any law of this state as above, and the governor shall forthwith issue his proclamation, declaring under this act of the legislature that the charters of these corporations are repealed.

Comptroller to
report to the
governor.

3. The proclamation of the governor shall be filed in the office of the secretary of state, and published in such newspapers and for such length of time as the governor shall designate.

Governor to issue
proclamation.

Proclamation to
be filed and
published.

4. Any person or persons who shall exercise or attempt to exercise any powers under the charter of any such corporation after the issuing of such proclamation shall

Penalty for exer-
cising powers
under charter.

be deemed guilty of a misdemeanor, and shall be punished by imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both, in the discretion of the court.

Attorney-general
to proceed
against
corporations.

5. After any corporation of this state has failed and neglected for the space of two consecutive years to pay the taxes imposed upon it by law, and the comptroller of this state shall have reported such corporation to the governor of this state, as provided in said amendatory act, then it shall be lawful for the attorney-general of this state to proceed against said corporation in the court of chancery of this state for the appointment of a receiver, or otherwise, and the said court in such proceeding shall ascertain the amount of the taxes remaining due and unpaid by such corporation to the state of New Jersey, and shall enter a final decree for the amount so ascertained, and thereupon a fieri facias or other process shall issue for the collection of the same as other debts are collected, and if no property which may be seized and sold on fieri facias shall be found within the said state of New Jersey, sufficient to pay such decree, the said court shall further order and decree that the said corporation, within ten days from and after the service of notice of such decree upon any officer of said corporation upon whom service of process may be lawfully made, or such notice as the court shall direct, shall assign and transfer to the trustee or receiver appointed by the court, any chose in action, or any patent or patents, or any assignment of, or license under any patented invention or inventions owned by, leased or licensed to or controlled in whole or in part by said corporation, to be sold by said receiver or trustee for the satisfaction of such decree, and no injunction theretofore issued nor any forfeiture of the charter of any such corporation shall be held to exempt such corporation from compliance with such order of the court; and if the said corporation shall neglect or refuse within ten days from and after the service of notice of such decree to assign and transfer the same to such receiver or trustee for sale as aforesaid, it shall be the duty of said court to appoint a trustee to make the assignment of the same, in the name and on behalf such corporation, to the receiver or trustee

appointed to make such sale, and the said receiver or trustee shall thereupon, after such notice and in such manner as required for the sale under fieri facias of personal property, sell the same to the highest bidder, and the said receiver or trustee, upon the payment of the purchase money, shall execute and deliver to such purchaser an assignment and transfer of all the patents and interests of the corporation so sold, which assignment or transfer shall vest in the purchaser a valid title to all the right, title and interest whatsoever of the said corporation therein, and the proceeds of such sale shall be applied to the payment of such unpaid taxes, together with the costs of said proceedings.

6. Whenever it is established to the satisfaction of the governor that any corporation named in said proclamation has not neglected or refused to pay said tax within two consecutive years, or has been inadvertently reported to the governor by the comptroller as refusing or neglecting to pay the same as aforesaid, that the governor be and he is hereby authorized to correct such mistake, and to make the same known by filing his proclamation to that effect in the office of the secretary of state.

Corporations inadvertently reported, how mistake may be corrected.

Approved April 21, 1896.

CHAPTER 188.

An Act relative to the expense of investigating corporations delinquent in making returns.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*: On the neglect or refusal of a corporation incorporated under the laws of this state or doing business therein, to furnish the information prescribed by law to any state official required to publish a report on the standing and condition of such corporation, the expenses of the investigation authorized to be made because of such neglect or refusal shall be

Expenses of investigation for neglect or refusal of corporation to report, etc., how collected.

borne by said delinquent corporation and may be recovered therefrom in an action of debt in any court of competent jurisdiction in this state by the person authorized to make such investigation.

Approved April 21, 1896.

CHAPTER 189.

An Act relating to electric light, heat and power companies.

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

Authorized to use public roads, streets, etc.

1. Any corporation organized or to be organized by virtue of the act entitled "An act concerning corporations," for the purpose of constructing, maintaining and operating works for the supply and distribution of electricity for electric lights, heat or power, shall have full power to use the public roads or highway, streets, avenues and alleys in this state for the purpose of erecting posts or poles on the same to sustain the necessary wires and fixtures, upon first obtaining the consent in writing of the owners of the soil; *provided, however,* no posts or poles shall be erected in any street of any incorporated city or town without first obtaining from the incorporated city or town a designation of the street in which the same shall be placed and the manner of placing the same, and that the same shall be so located as in no way to interfere with the safety or convenience of persons traveling on or over the said roads and highways, and that the public streets in any of the incorporated cities and towns of this state shall be subject to such regulations as may be first imposed by the corporate authorities of such cities and towns.

Proviso.

Authorized to lay pipes, conduits, etc.

2. Any such companies are authorized and empowered to lay pipes or conduits and to lay wires therein beneath the public roads, highways, streets, avenues

and alleys as they may deem necessary; *provided*, that said pipes or conduits shall be laid at least two feet below the surface of the same and shall not in anywise unnecessarily obstruct or interfere with public travel, or damage public or private property, and shall not be laid nearer than three feet, except as is hereinafter excepted, to any water or gas main; but no public street shall be opened for the purpose of laying any such pipes, conduits or wires without the consent of the board of aldermen or common council of such city; *and provided*, that such use of the public streets in any of the cities and towns of this state shall be subject to such regulations and restrictions as may be first imposed by the corporate authorities of such cities or towns.

Proviso.

Proviso.

3. Any wires for conveying electricity or the conduits containing said wires, shall be laid at the greatest practicable distance from the outside of any water or gas pipe now laid down, and that such distance shall not be less than three feet, except in case where it shall be necessary that the said wires or conduits shall cross or intersect any such water or gas pipe.

Wires and conduits, how laid.

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

Approved April 21, 1896.

CHAPTER 190.

An Act to repeal sundry acts relative to corporations.

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

1. The act entitled "An act authorizing corporations created by special charters or otherwise to remove their principal office from the place designated in their charters to such other place as may be deemed best by the corporations," approved February twenty-sixth, one thousand eight hundred and eighty, is hereby repealed.

Acts repealed.

2. The act entitled "An act for the relief of corporations organized under general laws," approved March

thirty-first, one thousand eight hundred and seventy-five, is hereby repealed.

3. An act entitled "A further supplement to an act entitled "An act to prevent fraudulent elections by incorporated companies, and to facilitate proceedings against them," approved April fifteenth, one thousand eight hundred and sixty-six, which supplement was approved March seventeenth, one thousand eight hundred and seventy-four, is hereby repealed.

4. The act entitled "An act concerning corporations," approved March second, one thousand eight hundred and eighty-two, and the supplement thereto, approved March twenty-second, one thousand eight hundred and ninety-five, are hereby repealed.

5. The act entitled "An act for the relief of insolvent corporations," approved March twenty-third, one thousand eight hundred and eighty-two, is hereby repealed.

6. The act entitled "An act for the relief of the holders of stock of any corporation of this state whose certificates of stock have been lost or destroyed," approved March twenty-eighth, one thousand eight hundred and eighty-two, is hereby repealed.

7. The act entitled "An act to provide for agreements between creditors and insolvent companies," approved May fourteenth, one thousand eight hundred and eighty-four, is hereby repealed.

8. The act entitled "An act relative to the filing of certificates of incorporation," passed April sixth, one thousand eight hundred and eighty-six, is hereby repealed.

9. The act entitled "An act relative to the titles of corporations," approved March seventh, one thousand eight hundred and eighty-eight, is hereby repealed.

10. The act entitled "An act concerning corporations of this state, and of other states doing business in this state," approved April fourth, one thousand eight hundred and eighty-eight, is hereby repealed.

11. The act entitled "An act relating to the consolidation of corporations formed under the act entitled "An act concerning corporations," approved April seventh, one thousand eight hundred and seventy-five, and the acts amending and supplementing the same, for the

purposes of the improvement and sale of lands, the construction, maintenance and operation of hotels and carrying on the business of an inn-keeper, and the transportation of goods, merchandise or passengers upon land or water," approved April seventeenth, one thousand eight hundred and eighty-eight, is hereby repealed.

12. The act entitled "An act to authorize corporations formed under the act entitled "An act concerning corporations," approved April seventh, one thousand eight hundred and seventy-five, and the acts amending and supplementing the same, for the purpose of the improvements and sale of lands, or the building, operation and maintenance of hotels and carrying on the business of an inn-keeper, or of the transportation of goods, merchandise or passengers upon land or water, to purchase and hold stock in any one or more of said companies in certain cases," approved April seventeenth, one thousand eight hundred and eighty-eight, is hereby repealed.

13. The act entitled "An act concerning corporations," approved April third, one thousand eight hundred and eighty-nine, and the amendment thereto, approved March twenty-second, one thousand eight hundred and ninety-five, are hereby repealed.

14. The act entitled "An act concerning corporations," passed May twenty-third, one thousand eight hundred and ninety, is hereby repealed.

15. The act entitled "An act to provide a method for appointing commissioners in the place of other commissioners who have deceased or who shall fail to act in certain cases touching the organization of companies, and providing for the organization of companies in certain cases, approved June sixth, one thousand eight hundred and ninety, is hereby repealed.

16. The act entitled "An act to authorize corporations formed for the purpose of constructing or repairing either railroads, water, gas, or electric works, tunnels, bridges, viaducts, canals, hotels, wharves, piers, or any or all such works of internal improvement or public use of utility, to subscribe for, take, pay for in property, materials or service, hold, use and dispose of stock or bonds in any corporation formed for the purpose of constructing, maintaining and operating any such public

works," approved April sixth, one thousand eight hundred and ninety-one, is hereby repealed.

17. The act entitled "An act relative to the residence of directors of corporations in this state," approved March tenth, one thousand eight hundred and ninety-two, is hereby repealed.

18. The act entitled "An act concerning corporations," approved March tenth, one thousand eight hundred and ninety-two, is hereby repealed.

19. The act entitled "An act relative to corporations," approved May fifteenth, one thousand eight hundred and ninety-four, and the supplement thereto, approved March fourteenth, one thousand eight hundred and ninety-five, are hereby repealed.

20. The act entitled "An act to secure to laborers and workmen in the employ of corporations a prior lien for wages in cases of insolvency," approved April eighth, one thousand eight hundred and ninety-two, is hereby repealed.

Vested rights,
powers, etc., not
impaired or
annulled.

21. Nothing herein shall impair or annul any vested rights, privileges or powers heretofore obtained and used under authority of said acts or any of them, and all corporations which have heretofore availed themselves of the provisions of said acts may continue to enjoy the rights and advantages which they now enjoy and exercise by virtue thereof.

Approved April 21, 1896.

CHAPTER 191.

An Act to release and convey the title and interest of the state of New Jersey and the people thereof in and to certain real estate in the township of Acquackanonck, in the county of Passaic, of which Celestine Aimee Tronchon, also known as Marie Aimee, died seized.

WHEREAS Celestine Aimee Tronchon, also known as Marie Aimee, a citizen of the republic of France, died seized of certain real estate, hereinafter particularly described, situate in the township of Acquackanonck, in the county of Passaic, which, it is alleged, she erroneously described in her last will as being an estate possessed by her in New York, and which she intended to convey by such description; AND WHEREAS, it is represented that the will, which was duly admitted to probate by the proper tribunal in France, did not operate to convey real estate in this state, both by reason of such erroneous description and by reason of the fact that it was not executed by the testatrix in such manner as to devise real estate in this state; AND WHEREAS, it is further represented that careful inquiry has made it probable that the said Celestine Aimee Tronchon has no heirs capable of inheriting said real estate by the laws of this state; AND WHEREAS, it is claimed that said property escheated to the state of New Jersey,

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

1. All the estate, right, title and interest of said state and of the people thereof in and to the following tract of land, situate in the township of Acquackanonck, in the county of Passaic, and state of New Jersey, bounded and described as follows: Beginning in the centre of line of Lakeview avenue and in

Preamble.
Title, etc., of the state released and conveyed, etc.

the line of lands of the estate of William H. Howell, deceased, and running thence (1) north, three degrees and three minutes west, sixty-six feet and nine tenths of a foot along the centre line of Lakeview avenue; thence (2) along the centre line of said avenue north, four and one-half degrees west, five hundred and sixty-four feet and five-tenths of a foot; thence (3) south, eighty-three degrees and fifty-three minutes west, two thousand five hundred and seventy-seven feet to the easterly line of Erie railway; thence (4) southwardly along the easterly line of Erie railway six hundred and fifty-four feet to the line of the lands of Daniel A. Vreeland; and thence (5) north, eighty-four degrees and five minutes east, along the lands of Daniel A. Vreeland and lands of the estate of William H. Howell, deceased, two thousand three hundred and fourteen feet and nine-tenths of a foot to the place of beginning; containing about thirty-five and nineteen one-hundredths acres of land, whereof the said Celestine Aimee Tronchon died seized, with the appurtenances thereunto belonging or in any wise appertaining, is hereby conveyed and released to Charles E. O'Connor, the purchaser, claiming title through the estate of the said deceased and claiming to be the owner in fee simple of said premises, and to his heirs and assigns forever.

Certain rights
not to be affected
or impaired.

2. Nothing in this act contained shall affect or impair the right or interest already acquired of any individual or individuals in and to the said real estate, or any part thereof, or be held to relinquish or surrender the rights of the state to the moneys received from the sale of said lands.

3. This act shall be a private act and shall take effect immediately.

Approved April 21, 1896.

CHAPTER 192.

An Act to regulate the construction, operation and maintenance of street railroads in this state.

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

1. No street railroad shall, from and after the passage of this act, be constructed in, over or upon any street, avenue, highway or other public place in any city, town, township, village or borough of this state, except upon the consent of the governing body of such municipality, town, township, village or borough, and such consent shall be granted only upon a petition of the corporation desiring to construct, operate and maintain such street railroad, to be filed with the clerk or other equivalent officer of such municipality, town, township, village or borough; before such permission shall be granted, public notice of the application therefor shall be given by publication in one or more newspapers published or circulating in said city, town, township, village or borough, to be designated by the governing body of such city, town, township, village or borough, and by posting in five public places therein, to be likewise designated; such notice to be given at least fourteen days before the meeting of the said governing body at which said application shall be considered; such notice shall specify the name of the corporation presenting such petition, the date of filing the same, the character of the road intended to be constructed, operated or maintained, the motive power to be used thereon, and the street or streets, or other public highways or places through which the same shall extend; that upon the date fixed by such notice, or upon such subsequent date as the hearing of the said matter may be adjourned to by the said governing body may by ordinance, and not otherwise, grant or by resolution may refuse permission to construct, maintain and operate a street railway upon the street or streets, highway or

No street railroad to be constructed except upon consent of governing bodies of municipalities.

Notice of application to be published.

Governing bodies may grant permission by ordinance.

highways or other public place or places named in the said petition, or may, in its discretion, grant permission to the construction, maintenance, and operation of such street railway upon part of the streets, highways, or public places designated in such petition, and refuse permission to construct, maintain, or operate such street railway upon the remainder of such streets or public places; and such permission thus granted, shall be binding and effective, if an acceptance thereof in writing, by the corporation making such petition, shall be filed within thirty days after receiving notice thereof, with the clerk or other equivalent officer of the governing body granting such permission; *provided, however,* that such permission to construct, maintain and operate a street railway shall in no case be granted, in whole or in part, until there shall be filed with the clerk of such governing body or other equivalent officer, the consent in writing of the owner or owners of at least one-half in amount in lineal feet of property fronting on the streets, highways, avenues and other public places, or upon the part of the street or streets, highway or highways, avenue or avenues, and other public place or places, through or upon which permission to construct, operate and maintain a street railway is asked, and any such consent may be signed by an attorney in fact, thereunto duly authorized by any owner, or by an executor or trustee holding the legal title or having power of sale, which consents shall be executed and acknowledged as are deeds entitled to be recorded; *provided, however,* that if any consents have heretofore been obtained to the construction, operation and maintenance of any such railway in, along or upon any street or streets, road or roads, highway or highways, public place or places in this state, and such consents have been filed as herein directed, such consents, under any application made under this act, shall have the same force and effect and be considered and counted the same as consents given and filed after the passage of this act; whenever consent and permission has been obtained for the construction, operation and maintenance of any street railway, as hereinbefore provided, such consent and permission shall be deemed and held to include the right to con-

struct, erect, use and maintain such poles, wires, conduits and other structures and appliances as shall be appropriate or necessary to operate such street railway with the power designated in the petition therefor; every application made, as aforesaid, for the construction, operation and maintenance of a street railway shall be accompanied with a map or description of the route of the said railway, showing also the proposed location of rails or tracks and the location of poles or conduits; and the said governing body to whom application is made may, either at the time of giving its permission, as aforesaid, or at a subsequent time, fix and determine by resolution the location of the rails or tracks of such street railway in the streets, highways and public places in which the construction, operation and maintenance of such street railway is granted, and may, in like manner, determine the place or places in which poles shall be located and conduits constructed.

2. Any street railroad company owning, operating or controlling a street railroad in this state, desiring to change the motive power used thereon, may obtain permission and authority to do so on application by petition to the said governing body upon notice and hearing as specified in section one for permission to construct and operate; such petition shall designate the motive power which such company desires to use, and the consent of such governing body to the use of such motive power shall be held to include the right to construct, maintain or use, within the lines of the said public streets or highways, such poles, wires, conduits and other structures and appliances as shall be necessary and appropriate to operate such street railroad with the power designated in such petition; and such governing body may, at the time of giving its consent [consent] to such change of motive power, or subsequently, designate by resolution the place or places where poles shall be located or conduits constructed, if the same shall be necessary or proper for operating such street railroad by means of the motive power mentioned in the petition; *provided, however*, that no further permission to change the motive power shall be necessary where the authority to change has heretofore been conferred, but

Permission and authority to change motive power; how obtained.

Proviso.

Proviso.

in every such case the location of poles or conduits shall be made in the manner herein provided; *provided, however*, that if any board, body or public authority, other than the governing body of such municipality, town, township, village or borough, shall have control of any of the streets and highways in and over which such proposed street railroad is to be constructed, or in and over which the tracks of such company are located, the consent of such other board, body or public authority shall also be required before such corporation shall have the right to construct, operate or maintain such street railroad or to change the motive power used thereon, which consent shall be granted only upon notice to be given in the same manner as is herein provided for in respect to the notice to be given of application to the governing body of such municipality.

Repealer.

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

Approved April 21, 1896.

CHAPTER 193.

An Act regulating the time within which annual reports shall be filed with the commissioner of banking and insurance and regulating the annual report to be made by such commissioner.

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

Annual reports;
when to be filed.

1. All domestic and foreign corporations, associations and societies, and all resident and non-resident firms and individuals now required by law to make annual reports to the commissioner of banking and insurance of this state, shall hereafter file such annual reports with said commissioner on or before the thirty-first day of January in each year; and that the commissioner of

banking and insurance of this state shall make report as of the thirty-first day of December of each year and present the same in writing to the governor at the earliest practicable day after the termination of the time hereby limited for filing annual reports with him.

When commissioner to make report.

2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed.

Approved April 21, 1896.

CHAPTER 194.

An Act relative to the opening, widening, vacating or straightening of streets in certain townships in this state.

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

1. Where by virtue of any statute of this state any township has authority to open, widen, vacate or straighten any street within such township, and power is given such township to take proceedings to condemn land and pay damages arising from any such improvement, that it shall be lawful for such township through its township committee to agree with the owner or owners of any lands, real estate or buildings required to be taken, or which may be damaged by any such improvement, as to the price to be paid for the land so to be taken or damages which may be done, and to pay to such owner or owners the sum so agreed; and the amount so paid may be considered by commissioners appointed to assess benefits for any such improvement as if said land had been taken and said price paid by proceedings to condemn as heretofore.

Township authorities may agree with owners of lands as to price, etc.

2. It shall be lawful for the owner or owners of property fronting on or which may lie adjacent to property abutting on any street to petition the township committee of any township in this state which has by law

Owners may petition for vacating, widening or straightening street, etc.

authority to take property by condemnation for the widening, vacating or straightening of such street, and upon receipt of such petition the township committee may, if they deem it proper that the request of said petition should be granted, and that the granting of the same would be of public benefit, having first so declared by resolution, proceed to take the necessary land and real estate to widen, vacate or straighten such street or streets by an agreement with the owner or owners thereof as in the first section hereof it is provided, or by condemnation as is provided by law in case such agreement cannot be arrived at; and it shall not be necessary or requisite to confer upon the township committee power to act under this section that any particular number of abutting or adjacent property owners, or lineal feet of frontage, shall petition for the improvement herein authorized.

Owners may deed lands for streets, etc.

Acceptance and establishing grades; how done.

Costs and expenses; how ascertained and paid.

Proviso.

3. It shall be lawful for the owner or owners of any land within any township in this state, having authority to open streets by condemnation of lands and real estate for that purpose, to deed to the township by its corporate name any land for a street, and tender such deed to the township committee, who, if they will accept the same, may so do by resolution, and after such acceptance it shall be lawful for the township committee to proceed by resolution or ordinance to establish the grade of such street, and to do the work necessary to bring said street to grade and open and work the same as a public street, and the cost of so doing shall be ascertained by the township committee, in which costs they shall include a reasonable fee for the time and services of the township engineer, and all advertising, legal, or other fees and expenses paid by the township in the doing of said work, and when so ascertained, shall be certified to the collector or receiver of taxes by a resolution duly passed, stating the amount and items of such expenses, after which proceedings may be taken in the manner provided by law, for the appointment of commissioners to assess benefits for such street opening as in cases where streets have been opened by lawful authority through proceedings for condemnation; *provided, however*, that in assessing the benefits for the opening of any street, opened

as provided in this section, no more shall be assessed for benefits on the owners of land and real estate benefited thereby than the amount so certified to the collector or receiver of taxes by the resolution of the township committee aforesaid.

4. This act shall take effect immediately.

Approved April 21, 1896.

CHAPTER 195.

An Act to amend an act entitled "An act to establish and maintain a state museum," approved March twentieth, one thousand eight hundred and ninety-five.

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

1. Section one of an act entitled "An act to establish and maintain a state museum," approved March twentieth, one thousand eight hundred and ninety-five, be and the same is hereby amended so as to read as follows :

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

1. The commission provided for in the second section of the act to which this is an amendment, shall have power and it shall be its duty to cause to be prepared plans to provide suitable rooms in the state house at Trenton for a museum for the preservation and display of the agricultural, geological and educational and other exhibits of the state departments at Chicago exposition, and for such other exhibits as may from time to time be placed therein by said commission, and the expenses incurred in the preparation of said rooms and for the care of said exhibits shall be paid by the state treasurer on the warrant of the comptroller; *provided*, that the plans for the alterations necessary to provide said rooms shall be approved by the governor, comptroller and

Section as amended.

Proviso.

treasurer, or a majority of them, and the work done under their direction, and no work shall be commenced or contract entered into until a specific appropriation is provided for the purposes set forth in the act to which this is a supplement.

2. This act shall take effect immediately.

Approved April 21, 1896.

CHAPTER 196.

A Supplement to an act entitled "An act for the preservation of clams and oysters" (Revision), approved April fourteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section seven of an act entitled "An act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six, shall be amended so as to read as follows, and not otherwise, to wit:

Section as amended.

7. It shall not be lawful for any person who is not at the same time an actual inhabitant and resident of this state, and who has not been for six months next preceding, an actual inhabitant or resident as aforesaid, to rake or gather clams, oysters or shellfish, either on his own account and benefit or on account or benefit of his employer, in any of the rivers, bays or waters of this state, on board of any canoe, flat, scow, boat or other vessel; and every person who shall offend herein shall forfeit and pay twenty dollars, to be recovered and applied in the manner directed by the first section of this act; and the said canoe, flat, scow, boat or other vessel used and employed in the commission of such offense, with all the clams, oysters, clam rakes, tongs, tackle, furniture and apparel, shall be forfeited, and the same seized, secured and disposed of, in the manner described in the ninth and tenth sections of this act.

2. The supplement approved March twenty-ninth, one thousand eight hundred and ninety-two, being the supplement to the "Act for the preservation of clams and oysters," approved April fourteenth, one thousand eight hundred and forty-six, shall be and the same is hereby repealed, and all other acts and parts of acts inconsistent herewith be and the same are hereby repealed.

Approved April 21, 1896.

CHAPTER 197.

An Act to amend an act entitled "An act to provide for sewerage or drainage, or both, in townships," approved May ninth, one thousand eight hundred and ninety-four.

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

1. Section four of the act entitled "An act to provide for sewerage or drainage, or both, in townships," approved May ninth, one thousand eight hundred and ninety-four, be amended so that the same shall read as follows:

4. It shall be lawful for such township committee to issue promissory notes or certificates of indebtedness of the township in order to raise money to pay for any land or other property acquired for the construction of such sewer system, and to pay the cost of constructing the same; *provided*, that no such note or certificate of indebtedness shall bear interest at a higher rate than six per centum per annum, nor be disposed of for less than its par or face value; that such notes or certificates of indebtedness may be renewed from time to time until the work be done or until the assessments for benefits be confirmed as hereinafter mentioned; that when such assessments for benefits shall be confirmed

Section as amended.

the said township committee shall issue either registered or coupon bonds of the township to an amount sufficient to defray the cost of such sewer or drainage system ; such bonds shall be authenticated by the corporate seal of the township and the signature of the chairman of the township committee, and the coupons thereto annexed, if any, shall be authenticated by the autograph or engraved signature in fac simile of the treasurer of the township committee ; said bonds shall be made payable within thirty years from date, but part of the issue may be made payable at different times ; but no bonds shall be sold for less than par, and shall not bear interest at a higher rate than six per centum per annum.

2. Section eight of the said act entitled "An act to provide for sewerage, or drainage, or both, in townships," be amended so that the same shall read as follows :

Section as amended.

8. Any proceeding taken under this act necessary or proper to be had or taken by any township committee it shall be lawful for such committee to act or proceed by resolution, and said committee may fix and prescribe the terms and manner by which connections with said sewer system shall be made and shall maintain said system in good order, and may make extensions thereof from time to time when necessary, and issue promissory notes or certificates of indebtedness or bonds in order to raise money to pay for the construction of said extensions in the manner hereinbefore provided for ; *provided*, that in case any extensions are made, commissioners shall be appointed to make assessments of the cost, or part of the cost thereof, in the manner herein provided, and any such assessment shall be collected in the manner herein provided ; the compensation of all commissioners appointed in pursuance of this act shall be fixed by the court in which they shall be appointed and paid by the township committee.

3. This act shall take effect immediately.

Approved April 21, 1896.

CHAPTER 198.

An Act relating to boroughs and borough commissions.

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

1. The act entitled "An act for the formation and government of boroughs," approved March twelfth, one thousand eight hundred and ninety; the act entitled "An act for the formation and government of boroughs," approved April second, one thousand eight hundred and ninety-one; the act entitled "An act for the formation of borough governments in seaside resorts," approved March twenty-ninth, one thousand eight hundred and seventy-eight; the act entitled "An act for the formation of borough commissions," approved March seventh, one thousand eight hundred and eighty-two; and all acts entitled supplements to said acts, or any of them, and all acts entitled acts to amend said acts, or any of them, are hereby repealed.

Acts repealed
recited.

2. Every borough or borough commission heretofore established and formed under the provisions of any of said acts, and which is now a de facto corporation exercising corporate powers, is hereby created a borough by its present corporate name, and as such borough shall be a body corporate in fact and in law and governed by the act entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight, and the acts supplementary thereto and amendatory thereof (hereinafter referred to as the "borough act of one thousand eight hundred and seventy-eight"), and by the other general laws of this state relating to and regulating the government of boroughs, and shall have all the powers therein conferred and be subject to all the duties thereby imposed; it shall retain, hold, possess and enjoy and be absolutely invested with all the rights and property heretofore possessed and enjoyed by the said borough or borough commission and

Boroughs or
borough com-
missions hereto-
fore established
declared bodies
corporate.

Powers
conferred.

shall be responsible and liable for the contracts, debts, bonds and obligations of such borough or borough commission which have been made or incurred under the provisions of any act or acts of the legislature, whether or not such act or acts lawfully confer the power to make or incur the same; all ordinances, acts and proceedings heretofore passed, had, done and taken and all taxes and assessments heretofore levied and imposed by any such borough or borough commission in substantial compliance with any statute of this state are hereby validated and confirmed.

Who to constitute officers of such boroughs.

Other offices declared vacant.

Mayor and council to fill vacancies until next election.

Act; how to be construed.

3. The presiding officer and members of the governing body of such borough or borough commission shall be the mayor and councilmen of the borough hereby created, and they shall continue in office until the next succeeding annual borough election; all other offices existing in the former borough or borough commission are hereby declared vacant, and said mayor and council shall, by appointment, fill all the offices required by the provisions of the borough act of one thousand eight hundred and seventy-eight until the next annual borough election, at which time there shall be elected all the officers provided for in said borough act of one thousand eight hundred and seventy-eight.

4. This law being necessary to remove uncertainty as to the legal status of numerous boroughs and borough commissions in this state heretofore in good faith formed and exercising municipal powers, and for the protection and security of the inhabitants, officials and creditors of such boroughs and borough commissions, the legislature hereby intends to exercise its fullest legislative power to accomplish such object; and to that end this act shall be construed in the most liberal manner in all courts of judicature.

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

Approved April 21, 1896.

CHAPTER 199.

An Amendment to an act entitled "A further supplement to an act entitled 'An act for the formation of borough governments, approved April fifth, one thousand eight hundred and seventy-eight,'" which further supplement was approved March twenty-seventh, one thousand eight hundred and ninety-three.

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

1. The third section of an act entitled "A further supplement to an act entitled 'An act for the formation of borough governments, approved April fifth, one thousand eight hundred and seventy-eight,'" which further supplement was approved March twenty-seventh, one thousand eight hundred and ninety-three, shall be and the same is hereby amended so as to read as follows:

Section to be amended.

3. Upon the completion of any such main outlet or lateral drain or sewer, the mayor and council shall apply to the circuit court of the county wherein such borough is situate, to appoint commissioners to estimate and assess the special benefits derived therefrom by any lands or real estate in the vicinity thereof; two weeks' notice of the time and place of making such application shall be given by notice published in two newspapers printed or circulating in said borough, and at the time and place mentioned in said notice, or at such other time and place as the matter may be adjourned to, the said court shall appoint three commissioners, who shall be freeholders and residents of the county in which such borough is situate, to estimate and assess said benefits; the said court shall have power to remove any commissioner and appoint another in his place, and also to fill any vacancy that may occur from any cause.

Section as amended.

2. The tenth section of said further supplement, approved March twenty-seventh, one thousand eight hun-

dred and ninety-three, shall be and the same is hereby amended so as to read as follows :

Section as amended.

Proviso.

10. The mayor and council may raise money to pay the expense of any such improvement as is authorized by this act by issuing improvement certificates, bearing interest at a rate not exceeding six per centum per annum, and payable not more than five years from the date of their issue; *provided*, that if it shall become necessary, such certificates, or any of them, may be renewed from time to time upon falling due by the issue of like certificates, and the mayor and council shall be and they are hereby authorized to take up such certificates, issue bonds of the borough in anticipation of the collection of the assessments for special benefits in their stead; such bonds to be payable not more than twenty years from their date, to bear interest at a rate not exceeding six per centum per annum, and may be registered or coupon bonds, and all assessments collected after issuing any such bonds shall be applied to the purchase or payment thereof.

3. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 200.

An Act providing for working, amending, repairing and keeping in order public roads, streets and highways adjoining and forming the boundary line between two municipalities.

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

Public roads,
streets, etc.,
forming
boundary line;
by whom kept in
repair.

1. Whenever it appears that any public road, street or highway adjoins or forms the boundary line between two municipalities, the said public road, street or highway shall be worked, amended, repaired and kept in good order by the two municipalities bordering on said

road, street or highway, and the expenses thereof shall be borne equally by said municipalities.

2. If either of said municipalities shall neglect or refuse to work, amend, repair and keep in good order the portion of said highway lying within its limits, then it shall be lawful for the other of said municipalities or the corporate authorities thereof, if deemed necessary for the interest and welfare of its inhabitants and public travel in and through said municipality, to amend, repair, work and keep in order at its own expense the whole of said public road, street or highway, or so much thereof as the authorities of said municipality may determine upon.

Failure of either of said municipalities to repair, etc., other municipality to work and keep in order, etc.

3. The term "municipality" shall be deemed and taken as including therein any city, town or township.

Term "municipality"; how construed.

4. This act shall be deemed and taken to be a public act, and shall take effect immediately, and that all acts or parts of acts inconsistent with this act be and the same are hereby repealed; *provided*, that nothing in this act contained shall apply to or affect the provisions of section 62 of an act entitled "An act concerning roads [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four," or any act amendatory of or supplementary to the same.

Proviso.

Approved May 12, 1896.

CHAPTER 201.

An Act for the better protection of travelers, pedestrians, vehicles and animals on the public streets and highways.

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

1. Whoever places upon the surface of any public street, highway or other way customarily and lawfully used for public travel, or upon any sidewalk appur-

Penalty for placing glass, bottles, etc., upon public highways.

tenant to such way, any broken glass, bottle, metal, loose stones, earthenware, or other substance of a nature likely to cause injury to travelers or pedestrians, or to carriages, bicycles or other vehicles traveling or moving on said way, or which might wound, disable or injure any horse or other animal, or which might injure, cut or puncture any pneumatic tire, shall forfeit for each offense five dollars, to be sued for and recovered in an action of debt by any person who will sue for the same.

Broken stone of dimension of one inch or more placed on highways to be covered.

2. Any overseer of the highways, committeeman, contractor, or other person whomsoever, who shall place or spread broken stone on any of the highways of this state, for the purpose of improving or repairing the same, shall, if such stone be of the dimension of an inch and one-half or more in diameter, cause the same to be covered with fine stone, earth or screenings, within such period of time as it shall be possible to obtain such fine stone, earth or screenings after said broken stones are spread upon said road, unless prevented by causes beyond his control, under a penalty of twenty dollars for each offense, to be sued for in an action of debt and recovered with costs by any person who shall be injuriously affected by the willful neglect or failure to cover said stone as herein provided.

3. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 202.

A Supplement to an act entitled "An act concerning evidence" (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:

Court may order examination of person injured, etc.

1. On or before the trial of any action brought to recover damages for injury to the person, the court before whom such action is pending may, from time to

time on application of any party therein, order and direct an examination of the person injured as to the injury complained of by a competent physician or physicians, surgeon or surgeons, in order to qualify the person or persons making such examination, to testify in the said cause as to the nature, extent, and probable duration of the injury complained of; and the court may in such order direct and determine the time and place of such examination; *provided*, this act shall not be construed to prevent any other person or physician from being called and examined as a witness as heretofore.

Proviso.

Approved May 12, 1896.

CHAPTER 203.

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.

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

1. In all cities towns, townships and other municipalities of this state wherein there are now or hereafter may be sewers constructed for the purpose of carrying off the sewage of such cities, towns, townships and other municipalities, or in streets or sections of such cities, towns, townships and other municipalities, the owners of property along the line of any such sewers shall be compelled to connect their houses and other buildings therewith, in compliance with the ordinances, rules and regulations of any local board of health now or hereafter to be made for that purpose.

Owners of property to be compelled to connect with sewers.

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

Provisions of act to be enforced by local boards of health.

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.

Approved May 12, 1896.

CHAPTER 204.

An Act relating to street railroads.

Preamble.

Whereas, numerous horse and street railroad companies, and companies owning or operating street railroads organized under general and special laws of this state, have, during the past seven years, constructed, reconstructed and extended their lines of street railroad, and have equipped the same for operation by electricity by means of the overhead or trolley system, consisting of poles located on or near the curb lines of streets and within the lines of public highways, and wires and appurtenances suspended from such poles, and other such companies are now constructing or are about to construct, reconstruct, extend and equip their street railroads in the manner aforesaid, and large sums of money have been expended and are about to be expended in such construction, reconstruction and equipment in reliance on the statutes and proceedings of different municipalities in pursuance thereof purporting to authorize the same; and whereas, doubts have been expressed as to the true meaning and intention of the acts and parts of acts of the legislature and the effect of such proceedings purporting to authorize horse or street

railroad companies, and companies owning or operating street railroads organized as aforesaid, to equip and operate by electricity the street railroad owned or operated by them in manner aforesaid; therefore,

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

1. All proceedings heretofore had and taken by the several municipalities in which the tracks of said company are located, purporting to authorize the construction, reconstruction or extension of street railroads or equipment of the same for operation by electricity in the manner aforesaid, and the work done and to be done in pursuance thereof, shall be taken and regarded as legal and binding; *provided*, that this act shall not apply to any case where the consent of the municipality or public authority in which such tracks and equipment are located when required has not been or shall not be given, either by ordinance or resolution, or when the consent of the owners of that part of the lineal feet of land fronting on the streets or highways on which such tracks are or shall be laid, required when the same were or shall be laid or equipment furnished, has not been or shall not be obtained; *and further provided*, that nothing in this act shall be construed to apply to or validate any ordinance, resolution or other proceeding now involved in any litigation.

Proceedings for construction, extension, etc., legal and binding.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 205.

A Further Supplement to an act entitled "An act for the incorporation of safe deposit and trust companies," approved April twentieth, one thousand eight hundred and eighty-five.

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

Safe deposit and trust companies authorized to discount bills, notes, etc.

1. In addition to the provisions of the act to which this is a supplement and the powers and authority therein and thereby given, it shall and may be lawful for any trust company, incorporated or organized under said act or any special law, and doing business in cities of the first class, distant not less than two miles from any national or state bank of discount and deposit, to discount bills, notes and other evidences of debt, to buy and sell gold and silver bullion and foreign coins and money, and to buy and sell bills of exchange and commercial paper, and to use so much of their capital, deposits and funds for such purpose as their respective directors shall, from time to time, designate; *provided, however,* that the assent in writing be first obtained of two-thirds of the stockholders of such company or companies as may decide by a unanimous vote of its or their board of directors to avail themselves of the privileges of this act.

Proviso.

2. This act shall take effect immediately.
Approved May 12, 1896.

CHAPTER 206.

An Act concerning the acquiring of lands by condemnation proceedings for public use under and by virtue of any law of this state, and the award and appraisement of the value of such lands or real estate and the assessment of damages for the taking thereof.

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

1. Whenever in any proceeding now pending or hereafter to be taken for the condemnation of any lands or real estate for any public use under and by virtue of any law of this state, the lands or real estate to be taken or condemned, or any part thereof or interest therein, shall be limited over after one or more estates for life, or any estate therein, it shall be lawful for the commissioners or other persons whose duty it is to examine and appraise the said land and real estate and to assess the damages for the taking thereof, instead of making an award and appraisement of the value of the interest or share of each owner or person interested in said lands or real estate, to ascertain and report the total value in a gross sum of all the interests, estates or shares in said lands or real estate, whether in possession, remainder, reversion or expectancy, and the total damages for the taking of the same; and such award and appraisement, otherwise lawfully made, shall bind all persons interested in said lands, whether in possession, remainder or expectancy, or by any other estate; and upon the payment of such gross sum by the applicant for such condemnation to the clerk of the circuit court of the county in which the said lands or real estate may be situate, the said applicant may enter upon and take possession of such lands freed and discharged from all trusts, estates and interests of every kind and of every person whatsoever; and in case any such condemnation proceedings

Commissioners to assess damages for taking of lands.

To ascertain and report total value, etc.

Award and appraisement to bind all persons.

Upon payment of sum, applicant may enter upon and take possession of lands.

The applicant in condemnation proceedings heretofore taken may pay sums to clerk of circuit court.

Upon payment, may enter and take possession of lands.

Circuit courts to appoint trustee or trustees.

Proviso.

have heretofore been taken and the whole amount of the appraisement of the value of such lands sought to be taken for such public use and the total damages for such taking have been assessed and the amounts due the various owners of the separate estates therein for and on account of such appraisement of values and assessment of damages have been ascertained by said commissioners or other persons whose duty it is to examine and appraise and to assess the damages as aforesaid, and the amounts of said appraisement and assessment of damages have not yet been paid to the different persons, the owners of said different estates, in whose behalf the said appraisement and assessment may have been made, it shall be lawful for such applicant in whose behalf the said condemnation proceedings shall have been taken, to pay over the entire sums of such appraisement and assessment of damages to the clerk of the said circuit court, instead of paying the same to the several persons to whom the said award and assessment may have directed the same to be paid; and upon such payment to the said clerk it shall be lawful for the said applicant to enter upon and take possession of such lands or real estate so condemned, freed and discharged from all trusts, estates and interests of every kind and of every person whatsoever; and in all cases of such payments made by virtue of the provisions hereof, it shall be lawful for the circuit court of the county in which the said lands or real estate may be situated to appoint a trustee or trustees, and successors thereto if necessary, whose duty it shall be to receive, hold and invest the money paid to him as aforesaid for said lands or real estate, and to pay the interest and income of the same and finally to dispose of and distribute the principal thereof in accordance with the several rights, interests and shares of the respective owners of or persons in interest in said lands; *provided*, that in case the lands so taken, or any part thereof, shall be in the possession of a tenant or tenants under a verbal or written lease, the commissioners shall ascertain and report the damages of such tenant or tenants for the taking of said lands, and the court may order the sum or sums allowed, to be paid out of the funds, and the balance held as hereinabove

provided; and in case the amounts appraised for the value of such lands or real estate and the damages assessed for the taking of the same shall have been or shall be by the report of the said commissioners apportioned between the owner of the first life estate and the person or persons who may be entitled to any subsequent estate or interest therein, and the amount due such life tenant is ascertained by the said report, it shall be lawful for the said court to order the sum so ascertained to be paid to such life tenant without the amount thereof being paid to the clerk of the said court, and, upon such payment, the said applicant may enter upon and take possession of such lands or real estate freed and discharged from all trusts, estates and interests of every kind and of every person whatsoever.

2. Such trustee or trustees shall give such bonds or security as the said court may require, and shall account annually, or oftener if required, to the said court, and shall be allowed their lawful and proper disbursements out the said fund or its income, and for their services as trustees such compensation as the said court shall deem adequate and just.

Trustees to give bond.

Compensation.

3. This act shall be deemed a public act, and shall take effect immediately.

Approved May 12, 1896.

CHAPTER 207.

An Act to authorize the purchase and erection of public buildings and the purchase of land thereof in cities.

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

1. It shall be lawful for the board of aldermen, common council or other governing body of any city to purchase, erect, provide and furnish proper buildings in said city for the uses and purposes of the city government

Authorized to purchase, erect buildings and to issue bonds.

and the several departments and officers thereof, and to provide a suitable lot for that purpose, and that it shall be lawful for said governing body to raise money by an issue of bonds for said purposes.

Bonds, how
issued, &c.

2. The said bonds shall state upon their face the purpose for which they were issued, and the term for which they are issued, which shall not be longer than thirty years, and they shall be redeemable any time after the expiration of five years, at the option of the city, and shall be of denomination of not less than five hundred dollars, and the total amount of bonds so issued by authority of this act for any building and the land whereon it stands, or upon which it is to be erected, shall not exceed the sum of thirty thousand dollars, and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually in the months of January and July.

Amount.

Interest.

Payment of
interest to be
assessed and
raised by taxa-
tion.

3. The amount necessary for the payment of the interest of said bonds shall be assessed and raised by taxation, as other moneys are raised for the uses and purposes of the city, together with a sum of not less than five hundred dollars, in each and every year, which sum when collected shall be deposited in the sinking fund of the city for the liquidation of the principal of said bonds when due.

4. This act shall take effect immediately.
Approved May 12, 1896.

CHAPTER 208.

A Further Supplement to an act entitled "An act to enable counties which have no county hospital to assist in maintaining hospitals located in such county," approved April twenty-sixth, one thousand eight hundred and eighty-six.

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 a supplement be amended so as to read as follows :

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

1. It shall and may be lawful for the board of chosen freeholders of any county of this state, which has no hospital located therein maintained by such county other than the hospital or sick ward of the county poorhouse, to make an appropriation of a sum of money not exceeding eight thousand dollars each year in the same manner that appropriations for other county purposes are made, which sum so appropriated shall be included in the annual tax levy of such county, and collected in the same manner and at the same time as other county taxes, and shall be applied to the purpose of supporting and maintaining such patients as may be sent to any hospital or hospitals supported by private charity and located in such county ; *provided*, the sum so appropriated be used and applied for the benefit, comfort and maintenance of such patients, inmates of such hospital, as are residents of said county at the time of being sent to said hospital ; *provided*, that the provisions of this act shall not apply to counties of the first class.

Section as amended.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 209.

A Supplement to an act entitled "An act for the better protection of fish in the Raritan river and its tributaries," approved March seventeenth, one thousand eight hundred and seventy-five.

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

Penalty for fishing with seine or gill-nets of certain mesh.

1. From and after the passage of this act any person or persons who shall cast, lay out or drift, either from a boat or from the shores, any seine or gill-net or other net with a smaller mesh than one-inch bar, in that portion of the Raritan river or any of the branches or tributaries thereof above the railroad bridge at New Brunswick, known as the Pennsylvania railroad bridge, between the first day of January and the tenth day of October in each and every year; and any person or persons who shall so cast, lay out or drift any such seine or net, of whatever size of mesh, in any portion of said river or any of its branches or tributaries, between the tenth day of June and the first day of September in each and every year, then every such person or persons so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprisonment not exceeding three months, or both, at the discretion of the court.

Penalty for trapping and fishing with drift or gill-nets of certain mesh.

2. From and after the passage of this act, any person or persons who shall at any time cast, lay out or drift any seine, gill-net or other net whatsoever, either from a boat or from the shores, in the waters of the Raritan river, or shall set any trap of any kind for the purpose of capturing fish, or shall spear any fish within nine hundred feet either above or below the dam across said river between the village of Bound Brook and the city of New Brunswick, then every such person or persons so offending shall be deemed guilty of a misdemeanor,

and on conviction shall be punished by a fine not exceeding two hundred dollars or imprisonment not exceeding six months, at the discretion of the court.

3. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 210.

A Supplement to an act entitled "A supplement to an act entitled 'An act to provide for the appointment of police justices in cities of the first class, passed May eighteenth, one thousand eight hundred and ninety-four,' " 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 eight of the act entitled "A supplement to an act entitled 'An act to provide for the appointment of police justices in cities of the first class, passed May eighteenth, one thousand eight hundred and ninety-four,' " which supplement was approved March seventh, eighteen hundred and ninety-five, is hereby amended so that said section shall read as follows :

8. The judge of any of said courts may, at the request of the clerk thereof, designate in writing a deputy clerk, who shall have authority to act for said clerk and to sign his name to all papers, the said clerk being responsible for all the acts of his said deputy.

Judge to appoint
deputy clerk.

2. Section eleven of the said act to which this act is a supplement is hereby amended so that said section shall read as follows :

11. In all cases where any person shall be convicted for the first time in said courts of having violated any of the provisions of the act entitled "An act concerning disorderly persons" (Revision), approved April ninth, one thousand eight hundred and seventy-five, or of the

Section as
amended.

various supplements thereto, it shall and may be lawful for the judge before whom such person was convicted to commit such person to the workhouse or common jail of the county in which such person may be convicted for a period not to exceed ninety days, or to impose a fine of not more than thirty dollars on the person so convicted, and in default of the payment of said fine to commit the person so convicted to the said workhouse or common jail for a period not to exceed ninety days; and in case any person shall be convicted in said courts for a second time of having violated any of the provisions of said act or of the various supplements thereto, it shall and may be lawful for the judge before whom such person was convicted to commit such person to the said workhouse or common jail for a period not to exceed six months, or to impose a fine of not more than sixty dollars on the person so convicted, and in default of the payment of said fine to commit the person convicted to the said workhouse or common jail for a period not to exceed six months; and in case any person shall be convicted in said courts for the third time of having violated any of the provisions of said act, or of the various supplements thereto, it shall and may be lawful for the judge before whom such person was convicted to commit such person to the said workhouse or common jail for a period not to exceed one year, or to impose a fine of not more than one hundred and twenty dollars on the person so convicted, and in default of the payment of the said fine to commit the person so convicted to the said workhouse or common jail for a period not to exceed one year; and it shall be lawful to impose upon any person who has been convicted for the third time as aforesaid, on any subsequent conviction, the penalties above provided for the third conviction; *provided*, that the provisions of this section shall not apply to persons convicted under the fifth section of said act.

Proviso.

Convictions to set out facts now required by law and the number of the conviction for which penalties are imposed.

3. In all cases where the penalties provided for in the preceding section on second or third conviction of violation of any of the provisions of said act are imposed on any person, it shall be sufficient for the conviction to set out, in addition to the facts now required by law, the number of the conviction for which said penalties are

imposed, and all convictions after the third conviction shall be deemed and taken to be a third conviction.

4. Any vacancy occurring in the office of police justice in any city of the first class in this state shall be filled for the full term provided by law by the mayor of the city wherein such vacancy occurs.

Vacancy, how filled.

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

Repealer.

Approved May 12, 1896.

CHAPTER 211.

An Act relating to street railway companies, and companies organized as such.

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

1. Any street railway company, created and organized under any law of this state, now owning and operating a street railway, may extend the lines of its railways through and along any street, avenue or highway in any municipality of this state, subject, however, to all the provisions, restrictions, and conditions of the general laws of this state relating to street railways and to the obtaining of the consent of property owners and the granting of the consent of the municipal authorities of the municipality within which it is proposed to make such extension.

Authorized to extend lines through and along streets, &c.

2. Any company incorporated as a street railway company or attempted to be so incorporated, under the act entitled "An act to authorize the formation of railroad corporations and to regulate the same," approved April second, eighteen hundred and seventy-three, and the supplements thereto, prior to the passage of the act entitled "An act to provide for the formation of street railway companies and to regulate the same," approved April sixth, eighteen hundred and eighty-six, which

Companies incorporated under certain act deemed and taken as street railway companies.

Rights and franchises heretofore granted validated.

prior to the passage of the last-mentioned act had actually constructed and had in operation a street railway, shall be deemed and taken to be a street railway company duly incorporated as such, and all rights and franchises heretofore granted any company so incorporated by the municipal authorities of the municipality within which such railway was constructed and operated shall be valid and effectual; and all the general laws of this state relating to street railways shall be deemed and taken to apply to and govern companies so incorporated.

3. This act shall take effect immediately.
Approved May 12, 1896.

CHAPTER 212.

An Act limiting the time for bringing actions against sheriffs and other officers and their agents.

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

Actions to be brought within two months.

1. In all cases where any sheriff or other officer shall attach, levy upon, take or sell any personal property, under and by virtue of any writ of attachment or execution issuing out of any court of this state, and such personal property or any title or interest therein, shall be claimed by any person or corporation other than the defendant in attachment or execution, by notice in writing delivered to such sheriff or officer, his attorney or agent, then such claimant shall, within two months from the time of making such claim in writing, bring an action for the enforcement of said claim against such sheriff or officer, his agent or person acting for him, or be forever thereafter debarred from bringing any action against such sheriff or officer, either as such sheriff or officer, or individually, or against his agent or person acting for him, for such attachment, levy, taking or sale, or to recover the proceeds of any such sale.

2. In all cases where any sheriff or other officer has heretofore attached, levied upon, taken or sold any personal property, under and by virtue of any attachment or execution issued out of any court of this state, and such personal property or any title to or interest therein has been claimed by any person or corporation other than the defendant in attachment or execution, by notice in writing delivered to said sheriff or other officer, his attorney or agent, then such claimant shall, within two months from the date of the taking effect of this act, bring an action for the enforcement of such claim against such sheriff or other officer, or his agent or person acting for him, or be forever thereafter debarred from bringing any action against such sheriff or officer, either as such sheriff or officer or individually, or against his agent or person acting for him for such attachment, taking, levy or sale, or to recover the proceeds of any such sale.

Action to be brought within two months.

3. Whenever any sheriff or other officer shall have reason to suppose that any personal property which he has attached, levied upon, taken or sold is, or before such sale was, claimed in whole or in part by any person or corporation, other than a defendant in the attachment or execution under which such property was taken or sold, and such person or corporation does not make such claim in writing, then such sheriff or officer may give notice in writing of such attachment, levy or sale, to such person or corporation, their attorney or agent, and the person or corporation so notified shall thereupon bring an action against such sheriff or officer for the enforcement of any right or interest so claimed, or for damages for such attachment, levy or sale, or for the proceeds of such sale, within two months from the receipt of such notice, or in default thereof no such action shall be maintained against such sheriff or officer, officially or personally, or against his agent.

Sheriff to give notice of attachment, levy or sale.

4. Nothing herein contained shall be construed to affect the liability of any person, except such sheriff, or officer, in his official capacity and personally, and the agent of such sheriff or officer.

Action to be brought within a certain time.

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

Act, how construed.

Approved May 12, 1896.

CHAPTER 213.

An Act concerning the powers of boards of 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* :

Board authorized to appoint physician.

1. The boards of fire commissioners in cities of the first class in this state are hereby authorized and empowered, when in their judgment the efficiency of the fire department requires it, to appoint a physician to act as medical examiner to said board.

Salary, &c.

2. In case any board of fire commissioners in any such city appoint such physician, the salary of such appointee shall not exceed the sum of five hundred dollars, to be provided for in the annual appropriation for such board, and the said board shall make rules defining and regulating the duties of such physician when so appointed.

3. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 214.

An Act relating to the confirmation of assessments for local improvements in certain cities in this state.

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

Reports, when confirmed, where filed.

1. In all cities in this state where the reports of the commissioners appointed to estimate, compute, fix, determine and make all assessments for damages and benefits caused by any local improvements made or to be made therein are now, or hereafter shall be, required by law to be confirmed by the circuit court of the county

in which such city is situated, such reports when so confirmed, together with the original orders or rules confirming the same, shall be transmitted to and filed with the comptroller or other officer of such city charged with the duties of collecting such assessments and having in his custody the records of assessments for local improvements and other municipal liens upon real estate therein.

2. The rules or orders confirming such assessments shall be entered in the minutes of the circuit court confirming the same before such reports are transmitted to the said comptroller or other officer.

Rules or orders to be entered in minutes of circuit court.

3. All acts and parts of acts inconsistent herewith, whether the same be general, special or local, are hereby repealed, and this act shall take effect immediately.

Repealer.

Approved May 12, 1896.

CHAPTER 215.

A Further Supplement to an act entitled "An act to provide for the purchase of sites for and the erection and equipment of armories in cities of the first and second class, and making appropriations therefor, and to provide for the taking of real estate for such sites by commission in case the same cannot be purchased by agreement," approved March twenty-third, one thousand eight hundred and eighty-eight.

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

1. The board of chosen freeholders of any county wherein a city is located, having an armory erected, or in the course of erection, under the provision of the act to which this is a supplement, and of the acts supplementary thereto, shall set apart and appropriate for the use of the commission constituted by the said act the

Board authorized to set apart a certain amount for use of commissioners.

Amount. sum of five thousand dollars out of any moneys in the county treasury; this sum to be in addition to any sum of money that may have been set apart or appropriated, or is to be set apart or appropriated, by the board of chosen freeholders of any such county as provided in said act or the supplements thereto; and in case the said board of chosen freeholders shall not have moneys enough on hand to meet such appropriation, then it shall be the duty of such board to issue bonds in an amount sufficient to meet such appropriation, and shall be of such denominations and bear such rate of interest and be payable at such times as may be deemed by the board of chosen freeholders issuing them most for the public interest; the said amount when so appropriated, or the proceeds of the sale of such bonds, shall be retained by the county collector of such county, and shall be by him paid out upon the written requisition of the aforesaid commission, by which it shall be applied to the payment of the costs and expenses incurred or to be incurred in completing, grading, filling, excavating, draining, paving and fencing the lands upon which said armories are or may be erected, and the cost and expense incurred or to be incurred for the interior completion, equipping and furnishing of said armories, drill rooms, company rooms and store rooms built or to be built, and the expenses incident thereto, which shall not exceed the amount so appropriated.

Board may issue bonds.

Board to make appropriation on notice from commission.

2. The board of chosen freeholders of any such county shall set apart and make such appropriation as aforesaid and perform the duties herein required of them forthwith after a written notice shall be served upon such board by the aforesaid commission by leaving the same with the clerk or secretary of such board of freeholders, requiring the same to make such appropriation.

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

4. This act take effect immediately.

Approved May 12, 1896.

CHAPTER 216.

A Further Supplement to an act entitled "An act providing for the formation, establishment and government of towns," approved March seventh, one thousand eight hundred and ninety-five.

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

1. In addition to the powers conferred by the act to which this act is a supplement, it shall be lawful for the town council of any town formed or established pursuant to the provisions of said act, if deemed by them best for the interest of the same, or any part thereof, to build and construct one or more main or trunk sewer or sewers in said town, with all necessary appurtenances thereto, to form a part of the general sewerage system of said town, first providing therefor by ordinance, and, after due advertisement for bids, making and entering into contract or contracts in the name of said town for the building and construction of said sewers.

Authorized to build and construct main or trunk sewers.

2. None of the provisions contained in the act to which this act is a supplement with reference to the construction of sewers and proceedings relating thereto, except as in this act provided, shall be held to apply to the main or trunk sewer or sewers authorized by this act to be built and constructed.

Provisions of certain act not to apply to sewers authorized by this act.

3. In order to raise the costs and expenses agreed to be paid by such town for the construction of said main sewer or sewers, it shall be lawful for the said town council to issue, if in their judgment expedient, bonds in the corporate name of such town in such amount as may be necessary for that purpose; and all bonds contemplated by this act shall bear interest at the rate of six per centum per annum, shall be payable severally in not more than ten years from their date, and shall not be sold or disposed of for less than par value.

Town council may issue bonds.

Interest.

Cost and ex-
penses of sewers,
how assessed
and collected.

4. The cost and expense of building and constructing said main or trunk sewer or sewers and appurtenances aforesaid, when ascertained, shall be assessed and collected from the property benefited as now provided by law applicable to such town for the assessment of benefits conferred by the construction of sewers and drains.

Cost and ex-
penses of outlet
or connecting
sewers heretofore
constructed,
how assessed
and collected.

5. Whenever there has heretofore been constructed by the governing body of any town formed or established under the act to which this act is a supplement, or the township or other municipality of which said town is the successor, any outlet or connecting sewer through adjoining municipalities and forming a part of the sewerage system of such town, said outlet or connecting sewer shall be treated and regarded as parts of the main or trunk sewers constructed within the territory of such town, and all costs and expenses attending the construction of the same, and any sum paid for the privilege of connecting with the sewers of any other municipality, shall for the purpose of assessment be included in and form part of the cost of any main sewer connected therewith to be assessed and collected as now provided by law.

6. This act shall take effect immediately.

Approved May 12, 1896.

CHAPTER 217.

An Act making appropriations for the support of state government and for several public purposes for the fiscal year ending October thirty-first, one thousand eight hundred and ninety-seven.

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

Annual appro-
priation.

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the state fund for the respective public officers and for the several purposes herein specified, for the fiscal year

ending on the thirty-first day of October, in the year one thousand eight hundred and ninety-seven, namely :

EXECUTIVE DEPARTMENT.

For the governor, for salary, ten thousand dollars ; Executive department.
 For the private secretary of the governor, for salary, two thousand dollars ;
 For compensation for assistants in the executive department, two thousand dollars ;
 For blanks and stationery for the use of the executive department, two hundred dollars ;
 For postage, expressage and other incidental expenses for the executive department, eight hundred and fifty dollars.

Office of the Comptroller.

For the comptroller, for salary, six thousand dollars ; Office of comptroller.
 For the first assistant in the comptroller's office, for salary, twenty-five hundred dollars ;
 For compensation for other clerical service in the comptroller's office, thirty-five hundred dollars ;
 For blanks and stationery for use in the office of the comptroller, five hundred dollars ;
 For postage, expressage and other incidental expenses for the comptroller's office, eight hundred dollars.

Office of the Treasurer.

For the treasurer, for salary, six thousand dollars ; State treasurer.
 For compensation for clerical services in the office of the treasurer, including assistants employed in the management of the sinking fund, fifty-nine hundred dollars ;
 For blanks and stationery for use in the office of the treasurer, six hundred dollars ;
 For postage, expressage and other incidental expenses for the office of the treasurer, eight hundred dollars.

*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 all clerical or other service in the office of secretary of state under any and all laws imposing duties upon the secretary of state, whether as such, or as clerk or register of any court, or in connection with corporations or otherwise, including the allowance now made by law, seventy-five hundred and sixty dollars;

For postage, expressage and other incidental expenses for the office of secretary of state, one thousand dollars;

For blanks and stationery for use in the office of the secretary of state, four thousand seven hundred and fifty dollars.

ATTORNEY-GENERAL'S DEPARTMENT.

Attorney-
general.

For the attorney-general, for salary, seven thousand dollars;

For clerical assistant in the attorney-general's department, for salary, fifteen hundred dollars;

For compensation and expenses of assistants employed by the attorney-general, sixty-five hundred dollars;

For blanks and stationery for use in the office of the attorney-general, two hundred dollars;

For postage, expressage and other incidental expenses for the attorney-general's department, two hundred dollars;

For master's fees for taking affidavits for the attorney-general's office, which shall include all such service required for the year, one hundred dollars;

For contingent fund, to be expended only with the approval of the governor and comptroller, for the fees of assistant attorneys and counsel in litigations which may arise under chapter one hundred and fifty-nine of the laws of one thousand eight hundred and eighty-four and chapter two hundred and eight of the laws of one

thousand eight hundred and eighty-eight in the enforcement of corporate taxation, twenty-five hundred dollars.

STATE BOARD OF ASSESSORS.

For the members of the state board of assessors, for salaries, ten thousand dollars; State board of assessors.

For secretary of the state board of assessors, for salary, twenty-five hundred dollars;

For compensation for clerical service in the office of the state board of assessors, thirty-six hundred dollars;

For additional compensation for clerical service in the office of the state board of assessors, nine hundred dollars;

For blanks and stationery for use in the office of the state board of assessors, seven hundred dollars;

For postage, expressage and other incidental expenses for the state board of assessors, five hundred and fifty dollars;

For compensation of surveyors, local assessors and witnesses, pursuant to chapter one hundred and one of the laws of one thousand eight hundred and eighty-four, twenty-five hundred dollars.

DEPARTMENT OF BANKING AND INSURANCE.

For the commissioner of banking and insurance, for salary, four thousand dollars; Department of banking and insurance.

For the deputy commissioner of banking and insurance, for salary, twenty-five hundred dollars;

For compensation for assistants in the department of banking and insurance, forty-one hundred and eighty dollars;

For blanks and stationery for use in the department of banking and insurance, twelve hundred and fifty dollars;

For postage, expressage and other incidental expenses for the department of banking and insurance, five hundred dollars.

STATE BOARD OF TAXATION.

State board of
taxation.

For the members of the state board of taxation, for salaries, eight thousand dollars;

For assistants in the office of the state board of taxation, twenty-four hundred and eighty dollars;

For blanks and stationery for use in the office of the state board of taxation, one hundred and fifty dollars;

For postage, expressage and other incidental expenses for the office of state board of taxation, two hundred and fifty dollars.

STATE LIBRARY.

State library.

For the librarian, for salary, two thousand dollars;

For compensation for assistants in the state library, eighteen hundred dollars;

For the repair, preservation and purchase of useful books for the state library, three thousand dollars.

STATE BOARD OF HEALTH.

State board of
health.

For the state board of health, pursuant to the provisions of chapter sixty-eight, laws of one thousand eight hundred and eighty-seven, six thousand dollars;

For compensation to the secretary of said board, pursuant to said chapter, twenty-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, fifteen hundred dollars;

For blanks and stationery for use in office of state board of health, nine hundred and fifty dollars.

BUREAU OF STATISTICS.

Bureau of
statistics.

For the chief of the bureau of statistics, for salary, twenty-five hundred dollars;

For the secretary of the bureau of statistics, for salary, twelve hundred dollars;

For the current expenses of the bureau of statistics, four thousand dollars;

For blanks and stationery for use in the office of the bureau of statistics, two hundred and fifty dollars.

STATE DAIRY COMMISSIONER.

For the commissioner, for salary, two thousand dollars;

For blanks and stationery and for the actual necessary expenses of the dairy commissioner in enforcing the laws relating to milk, oleomargarine, foods and drugs, and in performing all other duties charged upon him by law, ten thousand dollars.

Dairy commis-
sioner.

STATE HOUSE COMMISSION.

For the governor, treasurer and comptroller, 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, fifty-five thousand dollars.

State house
commission.

STATE MUSEUM.

For curator, for salary, fifteen hundred dollars.

Museum.

GEOLOGICAL SURVEY.

For salaries and expenses of department of geological survey and for the completion of the geological survey of this state, pursuant to chapter three hundred of the laws of one thousand eight hundred and ninety-five, eight thousand dollars;

Geological
survey.

For expenses in connection with the publication of the reports and maps of the geological survey, five thousand dollars;

For expenses in southern New Jersey, pursuant to chapter one hundred and twenty of the laws of one

thousand eight hundred and ninety-four, two thousand dollars.

JUDICIARY.

Supreme Court.

Supreme court.

For the chief justice, for salary, ten thousand dollars;
For the associate justices of the supreme court, for salaries, seventy-two thousand dollars;

For the judges of the circuit courts, appointed pursuant to chapter seventy-eight, laws of one thousand eight hundred and ninety-three, for salaries, twenty-two thousand five hundred dollars;

For compensation of sergeants-at-arms, one thousand dollars;

For blanks and stationery for the clerk of the supreme court, four hundred dollars.

Court of Chancery.

Court of
chancery.

For the chancellor, for salary, ten thousand dollars;
For the vice-chancellors, for salaries, forty-five thousand dollars;

For compensation of sergeants-at-arms, thirty-five hundred dollars;

For compensation of stenographers, six thousand dollars;

For compensation and allowance of advisory masters, twenty-five hundred dollars;

For rent of rooms in Camden, Jersey City and Newark, for use of chancellor, vice-chancellors and advisory masters, forty-five hundred dollars;

For miscellaneous expenses in connection with such rooms, one hundred dollars.

Office of Clerk in Chancery.

Clerk in
chancery.

For the clerk in chancery, for salary, six thousand dollars;

For compensation for clerical service in the office of the clerk in chancery, twenty-two thousand dollars ;

For blanks and stationery for use in the office of the clerk in chancery, one thousand six hundred dollars ;

For postage, expressage and other incidental expenses for the office of the clerk in chancery, nine hundred dollars.

Court of Errors and Appeals.

For per diem allowance and mileage for judges of the court of errors and appeals, five thousand dollars ;

Court of errors and appeals.

For compensation of officers of court of errors and appeals, five hundred and twenty-five dollars.

Court of Pardons.

For per diem allowance and mileage for judges of court of pardons, twenty-one hundred dollars ;

Court of pardons.

For compensation of subordinate officers, two hundred and fifty dollars.

Law and Equity Reports.

For the publication of the chancery reports, thirty-seven hundred dollars ;

Law and equity reports.

For the publication of the law reports, twenty-four hundred dollars ;

For salary of chancery reporter, five hundred dollars ;
For salary of supreme court reporter, five hundred dollars ;

For clerk of the supreme court, for copies of opinions furnished supreme court reporter, two hundred dollars ;

For binding chancery and law reports, fourteen hundred dollars.

NATIONAL GUARD.

For expenses for division, brigade and regimental headquarters, forty-five hundred dollars ;

National guard.

For allowances for gatling-gun companies, fifteen hundred dollars;

For allowances to cavalry troops, two thousand dollars;

For allowances to companies of the national guard, at the rate of five hundred dollars each, thirty thousand dollars;

For allowances to four colored companies of the national guard, at the rate of five hundred dollars each, two thousand dollars;

For hospital and ambulance corps, one thousand dollars;

For camp and garrison equipage, quartermaster's stores and miscellaneous supplies, eight thousand dollars;

For new uniforms, fifteen thousand dollars;

For transportation for battalion drills, inspections and parades, and pay of brigade inspectors, three thousand dollars;

For compensation of officers and employes and expenses incurred in connection with rifle range and practice, ten thousand dollars;

For pay of officers and enlisted men and expenses incurred in connection with annual encampment, thirty-five thousand dollars;

For compensation of superintendent and employes and for forage, fuel and maintenance of the state camp grounds, seven thousand dollars;

For expenses, repairs, water and maintenance of the state arsenal, fifteen hundred dollars;

For expenses of military boards and courts-martial, eight hundred dollars;

For military expenses incident to the signal and telegraph corps, pursuant to chapter three hundred and sixty-nine of the laws of one thousand eight hundred and ninety-five, six hundred dollars;

For transportation of disabled soldiers to the home at Kearny, fifty dollars;

For the purpose of completing an armory in the city of Camden, pursuant to chapter one hundred and eighty-two of the laws of one thousand eight hundred and eighty-eight and supplements thereto, ninety thousand dollars;

For maintaining heating and lighting the armories in Paterson and Jersey City, the sum of four thousand dollars for each armory, eight thousand dollars.

ADJUTANT-GENERAL'S DEPARTMENT.

For the adjutant-general, for salary, one thousand two hundred dollars; Adjutant-general's office.

For compensation for clerical service in the adjutant-general's office, thirty-four hundred dollars;

For blanks and stationery for use in the adjutant-general's office, six hundred dollars;

For postage, expressage and other incidental expenses for the adjutant-general's office, three hundred dollars;

For printing soldiers' certificates, pursuant to joint resolution number four of the laws of one thousand eight hundred and sixty-six, one hundred dollars.

QUARTERMASTER-GENERAL'S DEPARTMENT.

For the quartermaster-general, for salary, twelve hundred dollars; Quartermaster-general's office.

For compensation for assistants in the department of the quartermaster-general, seventy-seven hundred dollars;

For blanks and stationery for use in the quartermaster-general's department, one hundred dollars;

For postage, expressage and other incidental expenses for the quartermaster-general's department, one hundred dollars.

NAVAL RESERVE.

For rent and maintenance of headquarters, three hundred dollars. Naval reserve.

BATTALION OF THE WEST.

For rent and maintenance of battalion headquarters, three hundred dollars; Battalion of the west.

For allowance for four divisions at the rate of five hundred dollars each, two thousand dollars;

For maintenance of vessel, tools and supplies, twenty-one hundred dollars;

For repairs to vessel, sixteen hundred dollars;

For transportation of divisions to vessel, one thousand dollars;

For pay of ship-keeper, six hundred dollars;

For pilotage, two hundred dollars;

For traveling expenses of officers on instruction duty, six hundred dollars.

BATTALION OF THE EAST.

Battalion of the east.

For rent and maintenance of battalion headquarters, three hundred dollars;

For allowance for four divisions at the rate of five hundred dollars each, two thousand dollars;

For maintenance of vessel, tools and supplies, twelve hundred and fifty dollars;

For repairs to vessel, twenty-five hundred dollars;

For pay of ship-keeper, six hundred dollars;

For transportation and expenses of annual cruise, fifteen hundred dollars;

For sails, spars and outfit, twenty-five hundred dollars.

MONMOUTH BATTLE MONUMENT.

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;

To the commission appointed, pursuant to chapter 121 of the laws of one thousand eight hundred and ninety-four, for ascertaining and marking positions occupied by New Jersey troops at Chickamauga and Chattanooga, five thousand dollars.

PENSIONS.

For amount required to pay pensions, pursuant to various acts relative thereto, thirty-six hundred and fifty-six dollars; Pensions.

For traveling expenses incurred in examining pension claims of New Jersey volunteers, one hundred and fifty dollars.

HOME FOR DISABLED SOLDIERS.

For support of the New Jersey home for disabled soldiers and for the chaplain thereof, thirty thousand dollars. Home for disabled soldiers.

SOLDIERS' STATE PAY.

For claims of volunteers in the late war, for state pay, pursuant to chapter thirteen of the laws of one thousand eight hundred and sixty-one, one hundred dollars. Soldiers' state pay.

WASHINGTON ASSOCIATION OF NEW JERSEY.

For trustees of the Washington association of New Jersey, twenty-five hundred dollars. Washington association.

STATE BOARD OF AGRICULTURE.

For the state board of agriculture, six thousand dollars. Agriculture.

TUBERCULOSIS.

For expenses and payments by the state tuberculosis commission, pursuant to chapter three hundred and sixty of the laws of one thousand eight hundred and ninety-five, five thousand dollars. Tuberculosis.

AGRICULTURAL EXPERIMENT STATION.

Agricultural
experiment sta-
tion.

For the expenses of the agricultural experiment station, fifteen thousand dollars.

BOARD OF VISITORS TO THE AGRICULTURAL COLLEGE
OF NEW JERSEY.

Board of visitors,
agricultural
college.

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.

STATE HOSPITALS.

State Hospital at Trenton.

State hospital,
Trenton.

For maintenance of county patients, forty-seven thousand dollars;

For support and clothing of insane convicts, at the rate of five dollars per week for each insane convict, six thousand dollars;

For salaries of resident officers, ten thousand two hundred dollars;

For appraisalment of personal property, sixty dollars.

State Hospital at Morris Plains.

State hospital,
Morris Plains.

For maintenance of county patients, forty-nine thousand five hundred dollars;

For support and clothing of insane convicts, at the rate of five dollars per week for each insane convict, fourteen thousand five hundred dollars;

For support and clothing of indigent patients in state hospital at Morris Plains, two thousand seven hundred dollars;

For salaries of resident officers, eleven thousand four hundred dollars;

For appraisement of personal property, seventy-five dollars;

For improvements at the state hospital at Morris Plains, pursuant to chapter two hundred and ninety-seven of the laws of one thousand eight hundred and ninety-five, seventy-five thousand dollars.

Managers.

For traveling expenses of the managers, six hundred dollars; Managers.

For the secretary of the board of managers, for salary, one thousand dollars;

For expenses in transferring insane convicts, one hundred dollars;

For medical examination of insane convicts, one hundred dollars.

COUNTY LUNATIC ASYLUMS.

For the support of county patients in Essex county lunatic asylum, sixty-five thousand dollars; County lunatic
asylums.

In the Hudson county lunatic asylum, thirty-five thousand dollars;

In the Camden county lunatic asylum, fifteen thousand dollars;

In the Burlington county lunatic asylum, sixty-five hundred dollars;

In the Passaic county lunatic asylum, forty-eight hundred dollars;

In the Gloucester county lunatic asylum, fifteen hundred dollars;

In the Cumberland county lunatic asylum, two thousand dollars;

In the Salem county lunatic asylum, twelve hundred dollars;

In the Atlantic county lunatic asylum, four thousand one hundred and sixty dollars.

STATE PRISON.

State prison. For maintenance of convicts, eighty-five thousand dollars;
 For furniture and repairs of state prison, ten thousand dollars;
 For the principal keeper, for salary, three thousand five hundred dollars;
 For the supervisor, for salary, three thousand dollars;
 For the deputy keepers and employes, for salaries, eighty-five thousand dollars;
 For the six inspectors, for salaries, three thousand dollars;
 For the keeper, for payments to discharged convicts, two thousand dollars.

STATE REFORMATORY.

State reformatory. For appropriation pursuant to chapter three hundred and fifty-seven of the laws of one thousand eight hundred and ninety-five, seventy-five thousand dollars.

REFORM SCHOOL FOR BOYS.

Reform school. For the trustees of the New Jersey state reform school for boys, pursuant to chapter one hundred and ninety-five of the laws of one thousand eight hundred and ninety-three, sixty-two thousand dollars;
 For the trustees of said school, for expenses incurred by them in the discharge of their duties, pursuant to chapter four hundred and seventy-nine of the laws of one thousand eight hundred and sixty-five, two hundred and fifty dollars;
 For the trustees of said school, for the purpose of erecting a suitable building to provide an adequate cook-house, bake-shop, cold storage and general supply store for said school, eight thousand dollars.

INDUSTRIAL SCHOOL FOR GIRLS.

For the trustees of the New Jersey state industrial school for girls, for the support of and necessary repairs to the school, pursuant to chapter eighty-six of the laws of one thousand eight hundred and ninety, twenty-one thousand dollars;

Industrial school.

For the trustees of said school, for expenses incurred in the discharge of their duties, pursuant to chapter four hundred and twenty-eight of the laws of one thousand eight hundred and seventy-one, one hundred dollars.

STATE BOARD OF ARBITRATION.

For the members of the board of arbitration, for salaries, six thousand dollars;

State board of arbitration.

For the secretary of the state board of arbitration, for salary, two hundred dollars;

For blanks, stationery and other incidentals for use in the office of the state board of arbitration, three hundred dollars.

BOARD OF FISH AND GAME COMMISSIONERS.

For the fish and game wardens, including the fish and game protector, for compensation, fifteen thousand six hundred dollars;

Fish and game commissioners.

For expenses of the fish and game wardens and fish and game protector, five thousand one hundred dollars;

For expenses of the fish and game commissioners, eight hundred dollars;

For the purpose of stocking the waters of the state with food fishes and for defraying the cost of maintaining a hatchery, pursuant to chapter 42 of the laws of one thousand eight hundred and ninety-two, five thousand dollars.

BLIND AND FEEBLE-MINDED.

For clothing, maintenance, support and instruction of the blind and feeble-minded persons, inhabitants of this state, seventy thousand dollars;

Blind and feeble-minded.

For maintenance, support and instruction of feeble-minded women, twenty thousand dollars.

FACTORIES AND WORKSHOPS.

Factories and workshops.

For the inspector and six deputy inspectors of factories and workshops, for salaries, pursuant to chapter one hundred and eight, laws of one thousand eight hundred and eighty-nine, eighty-five hundred dollars ;

For the necessary expenses incurred by the inspector and his deputies in the discharge of their duties, pursuant to said law, two thousand dollars.

STATE CHARITIES AID ASSOCIATION.

State charities aid association.

For expenses of the association, six hundred dollars.

WAR DEBT.

War debt.

For amount required to pay on account of the principal of the war debt, due January first, one thousand eight hundred and ninety-seven, one hundred and eighty-nine thousand four hundred dollars.

SINKING FUND ACCOUNT.

Sinking fund.

For the state treasurer for "sinking found account," for payment on account of principal of the war debt falling due on the first day of January, one thousand eight hundred and ninety-seven, ten thousand dollars ;

For the state treasurer for "sinking fund account," for payment of interest on war debt falling due January first and July first, one thousand eight hundred and ninety-seven, twenty-nine thousand six hundred and twenty-two dollars ;

For the state treasurer for expenses in foreclosure and other necessary legal proceedings relative to sinking fund account, one thousand dollars.

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, two thousand dollars. Advertising.

PRINTING.

For printing and binding public documents, thirty-five thousand dollars; Printing.

For compensation of an expert printer for services in preparation of specifications for bids, supervision of work, examination of bills, and such other duties as may by law be imposed upon him, six hundred dollars;

For preparing index of session laws, one hundred dollars;

For printing and circulation of the laws, ten thousand dollars.

PUBLIC ROADS.

For public roads, pursuant to the provisions of chapter two hundred and twenty-three of the laws of one thousand eight hundred and ninety-five, one hundred thousand dollars; Public roads.

For the state commissioner of public roads, for salary, fifteen hundred dollars;

For expenses for clerk hire, attorney and consulting engineer, fees, stationery and actual traveling expenses, one thousand dollars.

OYSTER COMMISSION.

To promote the propagation and growth of seed oysters and to protect the natural oyster beds of this state, six thousand five hundred dollars. Oyster commission.

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 employes of the legislature, thirty thousand one 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, five hundred dollars ;
- For manuals of the legislature of New Jersey, pursuant to chapter eighteen of the laws of one thousand eight hundred and ninety-one, 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, sixty-seven hundred dollars ;
- For toilet and other necessary supplies for use at the legislative session, to be furnished by the state house commission, seven hundred dollars.

COLLATERAL INHERITANCE TAX.

- Collateral inheritance tax. For surrogates' fees, appraisers' compensation and expenses, legal and other disbursements, pursuant to chapter two hundred and ten of the laws of one thousand eight hundred and ninety-four, twelve thousand dollars.

INSURANCE.

- Insurance. For insurance upon state house and contents thereof, five hundred dollars.

REFUNDING TAXES ON EXEMPTED MISCELLANEOUS CORPORATIONS.

- Refunding taxes. For taxes improperly levied upon exempted corporations and to be refunded pursuant to law, one thousand dollars.

WEATHER SERVICE.

For the continuance of weather stations and preparation, printing and distribution of reports, pursuant to chapter two hundred and fifty-eight of the laws of one thousand eight hundred and ninety-two, one thousand dollars. Weather service.

MONUMENTS MARKING STATE BOUNDARY LINES.

For the riparian commissioners, pursuant to chapter one hundred and seventy of the laws of one thousand eight hundred and ninety-one, three hundred dollars. Monuments.

BODIES THROWN UPON SHORES OF THE STATE BY
SHIPWRECK.

For expenses incurred in viewing bodies cast upon shores by shipwreck, one hundred dollars. Shipwreck bodies.

BOARD OF PILOT COMMISSIONERS.

For expenses incurred by the commissioners, pursuant to chapter three hundred and seven of the laws of one thousand eight hundred and ninety-five, twelve hundred dollars. Pilot commissioners.

MANUAL TRAINING AND INDUSTRIAL SCHOOL
AT BORDENTOWN.

For maintenance of the manual training and industrial school at Bordentown, pursuant to the provisions of chapter three hundred and forty-nine of the laws of one thousand eight hundred and ninety-four, three thousand dollars. Industrial school at Bordentown.

DEAF-MUTES.

For the trustees of the New Jersey school for deaf-mutes, for the teaching, maintenance and clothing of Deaf-mutes.

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, forty thousand dollars.

STATE NORMAL SCHOOL.

Normal school. For the support of the state normal school, thirty-five thousand dollars;
For necessary repairs to the grounds, buildings and furniture, and for keeping the same insured, four thousand dollars.

FREE SCHOOL LIBRARIES.

Free school libraries. For the formation of libraries in the free public schools of the state, five thousand dollars.

FARNUM PREPARATORY SCHOOL.

Farnum preparatory school. For the support of the Farnum preparatory school at Beverly, twelve hundred dollars.

INDUSTRIAL EDUCATION.

Industrial education. For payments to schools established for industrial education, pursuant to chapter one hundred and sixty-four of the laws of one thousand eight hundred and eighty-one, nine thousand dollars;
For payments to schools for manual training, pursuant to chapter thirty-eight of the laws of one thousand eight hundred and eighty-eight, twenty-five thousand dollars.

EMERGENCY.

Emergency. For the governor to enable him to meet any emergency requiring the expenditure of money not otherwise

appropriated, the sum of ten thousand dollars, said sum, or any part thereof, to be paid by the treasurer on the warrant of the comptroller upon accounts approved by the governor.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

For salary of state superintendent of public instruction, three thousand dollars; Superintendent public instruction.

For clerical service in office of state superintendent of public instruction, forty-six hundred dollars;

For stationery and blanks, two thousand dollars;

For necessary incidental expenses incurred by the state superintendent of public instruction in the performance of his official duties and for supervision of manual training, two thousand four hundred dollars;

TRENTON BATTLE MONUMENT.

For the purpose of placing an elevator in said monument, four thousand five hundred dollars. Trenton monument.

PRESERVATION OF RECORDS.

For the purpose of publishing the early records of this state, known as "New Jersey Archives," thirteen hundred dollars. Preservation of records.

HOME FOR DISABLED SOLDIERS AND THEIR WIVES.

For expenses of the commissioners in preparing a plan for the erection and maintenance of a suitable home or homes for disabled soldiers and their wives, five hundred dollars. Commissioners home for disabled soldiers.

SCHOOL FUND EXPENSES.

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of School fund.

public schools in the investment and protection of the school fund, and in the collection of the income thereof, thirty-five hundred dollars.

STATE BOARD OF EDUCATION.

State board of education.

For necessary expenses of the state board of education, two thousand dollars.

TEACHERS' INSTITUTES.

Teachers' institutes.

For expenses of teachers' institutes, twenty-one hundred dollars.

TEACHERS' LIBRARIES.

Teachers' libraries.

For establishment of libraries for use of teachers, three hundred dollars.

SCHOOL CENSUS.

School census.

For compensation of the person having in charge the taking of the school census, fifteen hundred dollars.

RIPARIAN COMMISSION.

Riparian commission.

For salaries of riparian commissioners, six thousand dollars;

For expenses incurred in the prosecution of the work of the commissioners, six thousand dollars.

ELECTORAL COLLEGE AND BOARD OF STATE CANVASSERS.

Electoral college and state canvassers.

For per diem allowance and mileage for members of the electoral college, board of state canvassers and incidental expenses connected therewith, five hundred dollars.

OBSTRUCTIONS TO NAVIGATION.

For expenses incurred in removing any boat, barge or scow stranded or sunk in any of the navigable rivers of this state, five hundred dollars.

Obstructions to navigation.

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 eight hundred and ninety-seven:

Appropriation from income of school fund.

FREE PUBLIC SCHOOLS.

For the support of free public schools, two hundred thousand dollars.

Free public schools.

STATE SCHOOL TAX.

3. For the support of public free schools, for the equal benefit of all of the people of the state, there shall be paid to the county collectors of the several counties, in the manner provided by law, the following amounts on account of the annual state school tax, being ninety per centum of the amount paid by said counties, to wit:

School tax.

To the collector of the county of Atlantic, forty thousand eight hundred dollars and seventy-four cents;

To the collector of the county of Bergen, fifty-five thousand forty dollars and thirty-two cents;

To the collector of the county of Burlington, fifty-nine thousand four hundred and thirty-five dollars and fifty cents;

To the collector of the county of Camden, ninety-three thousand three hundred and seven dollars and eight cents;

To the collector of the county of Cape May, twelve thousand seven hundred and forty-one dollars and sixty-nine cents;

To the collector of the county of Cumberland, forty-two thousand, one hundred and nineteen dollars and sixty-four cents;

To the collector of the county of Essex, four hundred and forty-one thousand four hundred and twenty-five dollars and twenty-two cents;

To the collector of the county of Gloucester, thirty-six thousand seven dollars and twenty-four cents;

To the collector of the county of Hudson, three hundred and sixty-five thousand nine hundred and seven dollars and forty-nine cents;

To the collector of the county of Hunterdon, forty-six thousand seven hundred and seventy-five dollars;

To the collector of the county of Mercer, one hundred and one thousand five hundred and ninety-eight dollars and thirteen cents;

To the collector of the county of Middlesex, sixty-five thousand one hundred and thirty dollars and three cents;

To the collector of the county of Monmouth, one hundred and eleven thousand four hundred and two dollars and forty-nine cents;

To the collector of the county of Morris, sixty-two thousand one hundred and forty-eight dollars and ninety-four cents;

To the collector of the county of Ocean, fifteen thousand four hundred and seven dollars and thirty-six cents;

To the collector of the county of Passaic, one hundred and twenty-five thousand six hundred and fifty-nine dollars and seventy-six cents;

To the collector of the county of Salem, thirty-six thousand one hundred and twenty dollars and seventy-one cents;

To the collector of the county of Somerset, forty-two thousand seven hundred and twenty-seven dollars and thirty-seven cents;

To the collector of the county of Sussex, twenty-six thousand one hundred and thirteen dollars and thirty-six cents;

To the collector of the county of Union, eighty-seven thousand four hundred and nine dollars and seven cents;

To the collector of the county of Warren, forty-five thousand thirty-eight dollars and thirty-six cents.

In addition to the sums appropriated in this section, there shall be paid to the several counties such amounts from the "reserve fund" of two hundred and twelve

thousand four hundred and seventy-nine dollars and fifty cents, being ten per centum of the amount of state school tax paid by said counties, as shall be apportioned to them by the state board of education, as required by law; in all, the sum of two million one hundred and twenty-four thousand seven hundred and ninety-five dollars.

UNITED STATES APPROPRIATION TO AGRICULTURAL COLLEGE.

4. That there be paid to the treasurer of Rutgers college for the agricultural department thereof, for the more complete endowment and maintenance thereof for the benefit of agriculture and the mechanic arts, such sum as may be received from the United States under the act of congress approved August thirtieth, one thousand eight hundred and ninety, estimated to be twenty-two thousand dollars.

Agricultural college.

AGRICULTURAL COLLEGE FUND.

5. That there be paid to the treasurer of Rutgers college for the agricultural department thereof the income of the agricultural college fund, established under the act of congress of July second, one thousand eight hundred and sixty-seven, held by the state treasurer, estimated to be six thousand five hundred and sixty-two dollars.

Agricultural college fund.

UNITED STATES APPROPRIATION FOR DISABLED SOLDIERS.

6. That there be paid to the New Jersey home for disabled soldiers such sum as may be received from the United States under the act of congress to provide aid to state and territorial homes for disabled soldiers and sailors, approved August twenty-seventh, one thousand eight hundred and eighty-eight, estimated to be thirty-three thousand dollars.

Disabled soldiers.

7. No money shall be drawn from the treasury except for the objects as herein above specifically appropriated therein named.

Approved, except the item "for four colored companies of the national guard at the rate of five hundred dollars each, two thousand dollars," to which item I object.

JOHN W. GRIGGS,
Governor.

May 12, 1896.

CHAPTER 218.

An Act to constitute commissioners of county sinking funds.

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

Commissioners
of county sink-
ing fund; how
appointed, term
of office, etc.

1. It shall be lawful for the board of chosen freeholders of any county in this state in which there is a bonded county debt, to appoint, upon the nomination of the director of said board, three persons, being freeholders and residents in said county, to be commissioners of the county sinking funds; and whenever any board of chosen freeholders shall determine to avail itself of this act, it shall be the duty of the director of said board to nominate one person to be a county sinking fund commissioner for the term of two years, one for the term of four years, and one for the term of six years; and thereafter, whenever the term of any commissioner shall expire it shall be the duty of the director to nominate a successor for the term of six years; and whenever there shall be a vacancy by death or otherwise, it shall in like manner be the duty of the director to nominate a qualified person to fill such vacancy until the end of the term; all such nominees may be appointed by the vote of a majority of the board of chosen freeholders.

2. Whenever, in any county, commissioners of the county sinking funds shall be appointed under the provisions of this act, it shall be their duty to direct and control the investment of all money and securities belonging to any sinking fund or funds, provided or to be provided for the payment of any county debt, and to apply the same to the payment of county debts at the time and in the manner required by the act or acts under which debts were created or authorized; and it shall be the duty of any and every officer or person in whose custody or possession any cash, securities or assets of any county sinking fund may be, to pay over and deliver to the county collector of said county all such cash, securities and assets; and it shall be the duty of the county collector to receive, hold, invest and pay over the same upon the order and under the direction of the county sinking fund commissioners.

Duties of commissioners.

3. Said commissioners shall receive no compensation for their services, but their necessary and proper expenses, including safe deposit rentals, and clerical and legal assistance when required, shall be audited and paid by the board of chosen freeholders.

Expenses and clerical services; how paid.

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

Approved June 2, 1896.

CHAPTER 219.

A Supplement to an act entitled "An act to provide for the imposition of state taxes upon certain corporations and for the collection thereof," approved April eighteenth, one thousand eight hundred and eighty-four.

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

Surety companies to make annual return to state board of assessors and pay tax on gross amount of premiums.

1. Each surety company doing business within this state under the authority of an act entitled "An act relating to the formation of surety companies and regulating surety companies doing business in this state," approved March twentieth, one thousand eight hundred and ninety-five, shall make return annually to the state board of assessors of the amount of its premiums received within this state for the year preceding the first day of February prior to the making of such report, and shall pay to this state a tax at the rate of two per centum upon the gross amount of said premiums so returned or ascertained, which return shall be made and taxes assessed and collected under and in accordance with the provisions of the act to which this act is a supplement and the several supplements thereto and amendments thereof, and that such surety companies shall not be liable to taxation under the insurance acts of this state.

2. This act shall take effect immediately.
Approved June 2, 1896.

PROCLAMATIONS.

Proclamations by the Governor.

PROCLAMATION.

The "Cotton States and International Exposition" is to be held in the city of Atlanta, Georgia, from September 18th to December 31st, 1895.

This undertaking has assumed national and international proportions. The Federal Government has appropriated a large sum of money for the erection of a government building and the display of a government exhibit, and is otherwise actively co-operating to insure the success of the enterprise.

Most of the foreign countries on this continent will officially participate in the exhibition, and exhibits will be made by manufacturers in England, France, Belgium, Germany, Italy, Austria, Hungary and Russia.

Many of the States will be represented by exhibits, and a number will have State buildings. Pennsylvania, New York, Massachusetts, Illinois, Connecticut, Georgia and Arkansas have made liberal appropriations for such purposes. In several other States, where no public appropriation has been made, private parties have undertaken the work of securing the proper representation of the industries and products of their respective States.

I have received an official communication from the Governor of Georgia in which he calls attention to the proposed exposition, and invites "an exhibit of the resources and products" of our State, "with a liberal representation" of our people.

I therefore direct the attention of the citizens of this State to the proposed exposition, and suggest the propriety of adopting measures whereby the State of New

PROCLAMATIONS.

Jersey may be fittingly represented at the exposition and a proper exhibit made of the industries, resources and products of our State.

There is no public fund available for the purpose, and such action as may be taken will have to be the result of private effort, assisted so far as properly may be done by the Executive and other State officials. Should our citizens manifest sufficient interest in the subject to warrant it, the Executive will designate and request a number of persons to act as delegates or representatives on behalf of the State to arrange and supervise the details for a proper exhibit.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Trenton, this fifth day of July, eighteen hundred and ninety-five.

GEORGE T. WERTS,

Governor.

HENRY C. KELSEY,
Secretary of State.

 PROCLAMATION.

WHEREAS, On the eighth day of May, eighteen hundred and ninety-four, under the act entitled "An act to repeal the charter of all corporations that have heretofore failed to pay state taxes imposed upon them by law, approved March 26th, 1891," I did issue my proclamation of that date that the charters of certain corporations reported by the comptroller as in default of payment of taxes imposed upon them by law, were repealed and declared null and void;

AND WHEREAS, It is established to my satisfaction that the Maryland Ice Company, one of the corporations named in my said proclamation, has not refused to pay said tax within two consecutive years;

Now therefore, in pursuance of section two of an act of the legislature of this state entitled "An act to amend an act concerning corporations," approved April

seventh, one thousand eight hundred and seventy-five, which amendatory act was approved March twentieth, one thousand eight hundred and ninety-one," approved March 13th, A.D. 1893.

I, GEORGE T. WERTS, Governor of the State of New Jersey, do hereby correct the mistake of including the said Maryland Ice Company in my said proclamation, and do make the same known by this my proclamation to be filed in the office of the secretary of state.

[SEAL.]

In witness whereof I have hereunto set my hand and caused the great seal of the state to be affixed, at Trenton, the twelfth day of September, A. D. eighteen hundred and ninety-five.

GEORGE T. WERTS,

Governor.

By the Governor.

HENRY C. KELSEY,
Secretary of State.

PROCLAMATION.

It is eminently proper that the people of this state should fittingly recognize and acknowledge the innumerable blessings and mercies which, during the closing year, have been their portion ;

I, therefore, designate and appoint Thursday, the twenty-eighth day of November, instant, to be observed as a day of thanksgiving and praise to Almighty God.

I recommend that on the day thus designated we devote ourselves to exercises appropriate to the occasion, and particularly to the rendering of thanks and praise to Almighty God, to the performance of charitable deeds, to visiting the sick and afflicted and relieving the suffering and needy.

[SEAL.]

Witness my hand and the great seal of the State of New Jersey hereunto affixed. Done at the city of Trenton, this twelfth day of November, in the year of our Lord one thousand eight hundred and ninety-five.

GEORGE T. WERTS,

Governor.

HENRY C. KELSEY,
Secretary of State.

PROCLAMATION.

WHEREAS, On the second day of May, eighteen hundred and ninety-five, under the act entitled "An act to repeal the charters of all corporations that have heretofore failed to pay state taxes imposed on them by law," approved March twenty-sixth, 1891, I did issue my proclamation of that date that the charters of certain corporations reported by the comptroller as in default in the payment of taxes imposed on them by law were repealed and declared null and void;

AND WHEREAS, It is established to my satisfaction that the "Interstate Terminal Construction Company," one of the corporations named in my said proclamation, has not refused to pay said tax within two consecutive years;

Now therefore, in pursuance of section two of an act of the legislature of this state entitled "An act to amend an act concerning corporations, approved April seventh, one thousand eight hundred and seventy-five, which amendatory act was approved March twentieth, one thousand eight hundred and ninety-one," approved March 13th, A.D. 1893,

I, GEORGE T. WERTS, Governor of the State of New Jersey, do hereby correct the mistake of including the said "Interstate Terminal Construction Company" in said proclamation, and do make the same known by this my proclamation to be filed in the office of the secretary of state.

In witness whereof, I have hereunto set my hand and caused the great seal of the state of New Jersey to be affixed, at Trenton, the twenty-sixth day of November, A.D. eighteen hundred and ninety-five.

[SEAL]

GEORGE T. WERTS,
Governor.

By the Governor.

HENRY C. KELSEY,
Secretary of State.

PROCLAMATION.

WHEREAS, On the second day of May, eighteen hundred and ninety-five, under "An act to repeal the charters of all corporations that have heretofore failed to pay state taxes imposed on them by law," approved March 26, 1891, I did issue my proclamation of that date that the charters of certain corporations reported by the comptroller as in default in the payment of taxes imposed on them by law were repealed and declared null and void ;

AND WHEREAS, It is established to my satisfaction that the Pine Lake Park Land and Improvement Company, one of the corporations named in said proclamation, has not refused or neglected to pay said tax within two consecutive years, and was inadvertently reported to the Governor as aforesaid as refusing and neglecting to pay the same as aforesaid ; AND WHEREAS, all arrearages of taxes, interest and costs due from the said company to the state of New Jersey have been paid by said company to the proper officials of the state ;

Now therefore, in pursuance of the second section of an act of this state, approved March 13, A.D. 1893, being chapter CXXXVIII of the laws of that year, entitled "A supplement to an act entitled 'An act to amend an act concerning corporations,' approved April 7th, one thousand eight hundred and seventy-five," which amendatory act was approved March twentieth, one thousand eight hundred and ninety-one,

I, GEORGE T. WERTS, Governor of the State of New Jersey, do hereby correct the mistake of including the said Pine Lake Park Land and Improvement Company and of naming said company in my former proclamation, and do make the same known by this my proclamation to be filed in the office of the secretary of state.

In witness whereof I have hereunto set my hand and caused the great seal of the state to be hereunto affixed, at Trenton, this third day of December, in the year one thousand eight hundred and ninety-five.

GEORGE T. WERTS,

By the Governor.

Governor.

HENRY C. KELSEY, *Secretary of State.*

PROCLAMATION.

WHEREAS, On the second day of May, eighteen hundred and ninety-five, under the act entitled "An act to repeal the charter of all corporations that have heretofore failed to pay state taxes imposed on them by law," approved March 26th, 1891, I did issue my proclamation of that date, that the charters of certain corporations reported by the comptroller as in default in the payment of taxes imposed on them by law were repealed and declared null and void;

AND WHEREAS, It is established to my satisfaction that the Loughridge Brake and Car Company, one of the corporations named in said proclamation, has not refused to pay said tax within two consecutive years;

Now, therefore, in pursuance of section two of an act of the legislature of this state entitled "An act to amend 'An act concerning corporations,' approved April seventh, one thousand eight hundred and seventy-five, which amendatory act was approved March twentieth, one thousand eight hundred and ninety-one," approved March 13th, A. D. 1893,

I, GEORGE T. WERTS, Governor of the State of New Jersey, do hereby correct the mistake of including the Loughridge Brake and Car Company in my said proclamation, and do make the same known by this my proclamation, to be filed in the office of the secretary of state.

In witness whereof I have hereunto set my hand and caused the great seal of the State of New Jersey to be affixed, at Trenton, the tenth day of December, A. D. eighteen hundred and ninety-five.

[SEAL.]

GEORGE T. WERTS.

By the Governor.

HENRY C. KELSEY,
Secretary of State.

PROCLAMATION.

WHEREAS, It has been satisfactorily made to appear that in the list of New Jersey corporations reported to the governor of said state on the first day of May, eighteen hundred and ninety-two, was inadvertently included the corporation known as the Lake View Home Co. as one of such corporations which had for two consecutive years failed, neglected and refused to pay the state taxes which had been assessed against them for the year eighteen hundred and eighty-nine under the laws of the said state of New Jersey, and made payable into the state treasury;

AND WHEREAS, It appears that all taxes due from said Lake View Home Company have been paid by said company to the proper officers of the state of New Jersey, and that the said company is not liable to the penalties set forth in the proclamation of the governor of said state bearing date on the seventh day of January, eighteen hundred and ninety-three, although said corporation known as the Lake View Home Company is included in the list of corporations specified therein;

Now therefore, I, JOHN W. GRIGGS, Governor of the said State of New Jersey, do hereby issue this, my proclamation, revoking so much of the said proclamation of January seventh, eighteen hundred and ninety-three, above referred to, as applies to the said corporation named therein as the Lake View Home Company, and said last-named company is hereby declared to be restored to all its corporate rights, powers, privileges and franchises as fully as if said proclamation of January seventh, eighteen hundred and ninety-three, had not been issued and published as aforesaid, and I further direct that this proclamation be filed in the office of the secretary of state of New Jersey.

In witness whereof I have hereunto set my hand and caused the great seal of the state of New Jersey to be hereunto affixed this fifth day of March, A.D. eighteen hundred and ninety-six.

JOHN W. GRIGGS,
Governor.

Attest :
HENRY C. KELSEY, *Secretary of State.*

PROCLAMATION.

In pursuance to the authority vested in me by joint resolution adopted by the Legislature, and approved February 25th, 1884, I do hereby set apart Friday, the 24th day of April, 1896, for the planting of forest trees, and do recommend that that day be devoted by the people to that purpose.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the State
 [SEAL.] to be hereunto affixed, at Trenton, this 7th day of April, 1896.

By the Governor: JOHN W. GRIGGS,
Governor.
 HENRY C. KELSEY,
Secretary of State.

PROCLAMATION.

WHEREAS, On the second day of May, eighteen hundred and ninety-five, under the act entitled "An act to repeal the charter of all corporations that have heretofore failed to pay state taxes imposed on them by law," approved March twenty-sixth, 1891, His Excellency George T. Werts, Governor of the state of New Jersey, did issue his proclamation of that date, that the charters of certain corporations reported by the comptroller as in default in the payment of taxes imposed on them by law were repealed and declared null and void;

AND WHEREAS, It is established to my satisfaction that the Windsor Company, one of the corporations named in the said proclamation, has not refused to pay said tax within two consecutive years;

Now, therefore, in pursuance of section two (Sec. 2) of an act of the legislature of this state entitled "An

act to amend an act concerning corporations," 'approved April seventh, one thousand eight hundred and seventy-five,' which amendatory act was approved March twentieth, one thousand eight hundred and ninety-one," approved March 13th, A. D. 1893;

I, JOHN W. GRIGGS, Governor of the State of New Jersey, do hereby correct the mistake including the said Windsor Company in the said proclamation and do make the same known by this proclamation to be filed in the office of the secretary of state.

In witness whereof I have hereunto set my hand and caused the great seal of the state of
 [SEAL.] New Jersey to be affixed, at Trenton, the 28th day of April, A. D. eighteen hundred and ninety-six.

JOHN W. GRIGGS,
Governor.

Attest:
 A. H. RICKEY,
Assistant Secretary of State.

PROCLAMATION.

WHEREAS, The comptroller did, on the first day of May, 1896, under the provisions of an act entitled "An act to amend 'An act concerning corporations,' approved April seventh, one thousand eight hundred and seventy-five," approved March 20th, 1891, report to the governor a list of all corporations coming within said act;

AND WHEREAS, The following named corporations so reported had for two years next preceding such report, failed, neglected or refused to pay the state taxes which had been assessed against them for the year 1893, 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 charters of said corporations are made void 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, JOHN W. GRIGGS, Governor of the State of New Jersey, in pursuance of said act of the legislature, do hereby issue this proclamation under said act, that the charter of the following named corporations so reported and in default, to wit:

A. Bridgman Company.
Acme Glue Company.
Acme Mining and Reduction Company.
Acme Mortar Manufacturing Company.
Acme Tailoring Company.
Acme Water Purifying Company.
A. C. Robertson Company.
Ale and Beef Company.
Alexander C. Bates Tobacco Company.
Alexander Native Wine Company.
Alexandria Gas Light and Fuel Company.
Alley-Allen Press.
Alpha Polish Company.
Amazon River Trading Company.
American Advertising Company.
American Art Stove and Mantel Company.
American Cut Glass Company.
American Electric Railway Signal Company.
American Electric Rock Drill Company.
American Industrial Exhibition Company.
American Land Investment Company.
American Law Digest and Legal Directory Company.
American Manufacturing Company.
American Metal Depositing Company.
American Milk and Kumyss Company.
American Plush Company.
American Rapid Motor Company.
American Real Estate and Investment Company.
American Street Cleaning Machine Company.
American Street Railway Track Company.
American Watchman's Time Detector Company.
Anclcte Railroad Construction Company.
Address Paint and Color Company.

Angle Lamp Company.
Anglesea Mutual Protective and Fishing Association.
Anglo-American Travelers' and Tourists' Association.
Anthony Improvement Company.
Apex Mining Company.
Appomattox Publishing Company.
Ardmore White and Bronze Metal Company.
Ariston Oil Company.
Arizona Onyx Company.
Arizona Sheep Company.
Arkansas City Improvement Company.
Arlington Improvement Company.
A. R. Tudor Company.
Associated Brick Company of New York and New Jersey, of the City of New York.
A. T. Decker Company.
Atlantic Carbolineum Company.
Atlantic City Casino and Steamboat Company.
Atlantic Highlands Building Company.
Atlantic Hygeian Ice Company.
Atlantic Park Association.
Atmospheric Propulsion Company.
Automatic Advertiser Company.
Automatic Balance Company.
Automatic Car-Fender Company.
Automatic Spring Machine Company.
Avalon Beach Hotel Company.
Bahama Sisal Hemp and Salt Company.
Barnes' Iron Fence Company.
Barren Island Oil and Guano Company.
Batdorf Novelty Company.
Bates' Automatic Elevator and Manufacturing Company.
Bayonne City Electric Light and Power Company.
Beekman Salutory System Company.
Behringer Malt Cleaning Machine Company.
Belle Mead Land and Improvement Company.
Bell Manufacturing Company.
Bennington Marble Company.
Bergen County Agricultural Association.
Berkshire China Clay Company.
"Best in the World" Stove Polish Company.

Beverly Cordage Works.
Blakely Syndicate.
Bliven Manufacturing Company.
Bloomfield Park Land Company.
Blue Ridge Slate and Tile Company.
Bompys Hook Stone Company.
Boston Automatic Orchestra Company.
Boston Car Wheel Company.
Bridgewater Cordage Company.
Brigantine Building and Improvement Association.
Briggs Brick Company of Philadelphia.
Brooks Shoe Company.
Brown Patent Fire Escape Company.
Bryant Sewing Machine Company.
Buckingham Lumber Company.
Bufford Lithographic Company.
Builders' Wood Working Company.
Burdick Printing Company.
Bureau of Audit.
Burlington and Mount Holly Connecting Company.
Burnet Machine Company.
Butler Hardware Company.
California Fruit, Grain and Grazing Company.
Campaign Publishing Company.
Canada Cattle Car Company.
Capital Pottery Company.
Capon Springs Hotel Company.
Carbon Steel Company.
Carpenter Spring Wheel and Manufacturing Company.
C. A. Timme Dental Manufacturing Company.
Central Complete Combustion Manufacturing Company.
Central Elevated Transit Company.
Central Hay and Grain Company.
Central Improvement Company.
Central Louisiana Improvement Company.
Central Steamboat Company.
Century Lithographing Company.
Ceramic City Light Company.
C. G. Hutchinson Shoe-Blackening Machine Company.
Chalk Rubber Company.

Chambers-Smith Coke and By-Product Company.
Charles Seale and Company.
Chicago Public Works Construction Company.
Church Pump Company.
Clark Neergaard Company.
Cleanfast Hosiery Company.
Clinton Electric Light and Power Company.
Coleman Evaporator Company.
Collins Automatic Pneumatic Switching Tubes Com-
pany.
Colorado Hammer Brick Company.
Columbia Iron Ore and Furnace Company.
Columbia Land and Improvement Company.
Columbian Electric Company.
Columbian Identification Bureau.
Columbus Park Association.
Combination Stove and Water Heater Company.
Commonwealth Company.
Commonwealth Land and Improvement Company of
New Jersey.
Commonwealth Rubber Company.
Compound Spring Power Company.
Condensed Coffee Company.
Connecticut Automatic Orchestrone Company.
Connelly Gas Motor Company of New Jersey.
Connelly Motor Company.
Consolidated Gas Improvement Company.
Consumers Commercial Company.
Continental Construction Company.
Contract Indemnity Company of America.
Convolute System Company.
Co-operative Grocery and Supply Company.
Co-operative Land and Improvement Company.
Cortlandt Corset Manufacturing Company.
Cosmopolitan Manufacturing Company.
Cotton Improvement Company.
Coupon Company.
Cowles Engineering Company.
Crefeld Silk Dyeing Company.
Crescent Oil and Mining Company.
Cresyl-Jeyes Sanitary Compounds Company.
Cuban and American Sugar Company.

Cullen and Rhoderick Engineering Company.
Cumberland Steel and Iron Company.
Cyclo Clock Company.
Cyclostyle Company.
Darragh Manufacturing Company.
David Tullock Steam Stone Works.
Dayton Dry Goods Company.
Dealaken Park Improvement Company.
Decatur and Nashville Improvement Company.
Deer Park Investment Company.
De-flesco Quarrying and Mining Company.
de'Krafft Nonpareil Company.
Dellantic Land and Investment Company.
Die Cesterreichische-Ungarische Zeitung and Publishing and Printing Company.
Domestic Ice and Refrigerating Stove Company.
Dr. D. E. Smith Kumyss Company.
Dr. F. A. Turner Company.
Ducker Portable House Company of Augusta, Georgia.
Durning Shoe Manufacturing Company.
Eagle Bottling Company.
Eagleswood Cranbury Company.
Earle Portable Steam Heater Company.
Eastern Compound Wire Company.
Eastern Dispatch and Delivery Company.
Eastern Fertilizer Company.
Eastern Sanitary and Manufacturing Company.
Eastern Steamship Company.
East Orange Riding Academy.
East Paterson Co-Operative Land Company.
East Tennessee Mining and Improvement Company.
Economic Gas Machine Company.
Echo Land and Improvement Company.
Edison Electric Light Company of North Plainfield, New Jersey.
Edward Butts Manufacturing Company.
E. H. Gato and Company.
Elberon Casino.
Eldredge Electric Company.
Electrical Advertising and Display Manufacturing Company.

Electrical Development Company.
Electrical Piano Company.
Electrical Protection Company.
Electric City Land Improvement Company.
Electric Construction Company.
Electric Exhibition Company of New York.
Electric Power Publishing Company.
Ellison Heating Company.
Elmsford Park Company.
Empire Car Coupler Company.
Empire Publishing Company.
Empire State Pyro-Granite Company.
Engineering Press.
Eno Rail Joint Company.
Enterprise Aluminum Company.
Equitable Exchange Company.
Equitable Wholesale and Retail Supply Company.
Essex Publishing Company.
Eureka Electro-Manufacturing Company.
Evangeline Gold-Mining Company.
E. W. Lawrence Medical Company.
Excelsior Gas-Light and Fuel Company.
Farmers' Feed Company of New York and New
Jersey.
Favorite Clothing Company of Hoboken.
Felts Patent Tile Company.
Ferdinand A. Fischer Company.
F. Felter Shoe Company of New Brunswick, N. J.
F. E. Town Lumber Company.
Fibre Manufacturing and Coating Company.
Fidelity Warehouse Company.
Fire-Proof Flooring Company.
Fisk Improved Chloride of Gold Company.
Fitzgerald Gold Mining Company.
Fogg and Scribner Construction Company.
Foreign Trading Company.
Fort Lee Railway Company.
Fort Point Land and Improvement Company.
Franklin Gas Company.
Franklin Pulp and Paper Company.
Fraser and Company (incorporated).
Gansevoort Market Sheep Company.

Garret Motor Company.
Gary Magneto-Electric Company.
Gemeinder and Company.
General Electric Gas and Iron Company.
George A. Hill and Company.
Germania Medical Company.
Gerry-Long Manufacturing Company.
Gilbert Hardware Company.
Gilbert Lock Company.
Gillett Electric Company.
Gody Publishing Company.
Gondolo Tannin Company of New Jersey.
Gould Commercial Company.
Graeff Publishing Company.
Gray Oaks Land Company.
Gray Spiral-neck Bottle Company.
Great Belt Mining and Milling Company.
Greathead Tunnel and Subway Company.
Great Pee Dee River Lumber Company.
Green Ventilating and Heating Company.
Grooved Plaster Slab Manufacturing Company.
Guigues Morocco Company.
Guigues Tanneries Company.
Gustav Kobbe Company.
Gyro-Centrifugal Machine Company.
Hackensack Investment Association.
Hagerstown Electric Company.
Hallett Boiler Company.
Hamar Zinc and Lead Mining Company of New Jersey.
Handy Fuel Case Company.
Harvey Automatic Safety Switch Company.
Hayden Specialty Company.
Hebrew Free Press Company.
Heirs of Phillipe Francois Renaut Title Company.
Helio Engraving Company.
Helmbold Medicine Company.
Henry H. Adams Company.
Herbert Wright and Company.
Hermance Sterilized Milk Company.
Hero Electric Company.
Hillis Plantation Coffee Company.
Hinckley-Terry Company.

Hoboken Paper Manufacturing Company
Hoke Electric Belt Company.
Holland Butter Company.
Home Maker Company.
Homosassa Land and Improvement Company.
Hotel Brunswick and Land Company (Limited).
Hovendon Company.
Hudson County Aqueduct Company.
Hudson County Ice Manufacturing Company.
Hudson Publishing Company.
Hussey Amalgam Storage Battery Company.
Hydrotherapeutic Institute.
Hygeia Park Sanitarium Company.
Ideal Horse and Cattle Injector Manufacturing Com-
pany.
Immisch Electric Navigation and Power Company.
Improved Natural Stone Filter Company.
Independent Specialty Company.
Index Review Company.
Indian Spring Water Company.
Industrial Land Development Company.
Industrial and Mining Guaranty Company.
Industrial Printing and Binding Company.
Ingersoll Soap Works.
Inlet Park Amusement Company.
Inspector Publishing Company.
International Atmospheric Power Company.
International Book Company.
International Food Company.
International Ore Separating Company.
Interstate Grooved Plaster Slab Manufacturing Com-
pany.
Inventions Machine Company.
Investment Association.
Irrigation and Investment Trust Company (Limited).
Isothermal and Plumbing Company.
Ivory Towel Supply Company.
James Hannah Company.
Jas. L. Reynolds Paper Mill Company.
Jennings Machine Company.
J. G. Slee Company.
J. McArthur and Company.

J. O. Door's Son Company.
John O. Atwood Shoe Company.
J. R. Allen Company.
Justin Projectile Company.
J. W. Carroll Company.
J. Y. Johnston Company.
Kalispel Manufacturing Company.
Keely Institute Company of Ohio.
Kentucky Mineral and Timber Company.
King Cotton Bale Covering Company.
Kingsley Boiler Company.
Kingston Ore Reduction Company.
Kinsman Block System Development Company.
Kronthal Silk Company.
Lakewood Real Estate Company.
Land Association of Whitall on the Delaware.
Land Investment Company.
Land's End Company.
Laredo Electric Light and Machine Company.
Lawton Fermenting Process Company.
Lawyers' Supplies Company.
Lee, Blauvelt and Allee Company.
Leiss Letter Sealer Company.
Lester Shoe Company.
L'Etoile Photogravure Company.
Lewis Mercer Construction Company.
L. H. Benedict and Company.
Liberty Manufacturing Company.
Liberty Steamboat Company.
Lindenwold Land Improvement Company.
Little Gem Pocket Lamp Company.
Live Stock Car Equipment Company.
L. L. F. Fixture Company.
Long Beach City Cottage Building Company.
Long Island Land Company.
Lovell Coryell and Company.
Lowe Rail Joint Union Company.
Low Phosphorus Ore Properties Company.
Lowry Manufacturing Company.
Mackenzie Press.
MacKirdy Mining Company.
Madame M. Yale Company.

Magic Fuel Manufacturing Company.
Mahony Engineering and Safety Boiler Company.
Manhattan Air Ship Company.
Manhattan Chemical Company.
Manhattan Quilting and Manufacturing Company.
Manufacturers' Book Company.
Manufactures Building Company.
Markee Pressed Steel Company.
Marquetelle Decorative Company.
Mason Electric Company.
Matanzas Electric Company.
Matrix Manufacturing Company.
McCall Publishing Company.
McTear Felt Manufacturing Company.
McTear Flax Roofing Company.
Mechanical Gold Extractor Company.
Merchants Association of New York.
Merchants' Collecting Syndicate.
Metallic Relief Manufacturing Company.
Metropolitan District Messenger Company.
Metropolitan Motor Supply Company.
Metuchen Heights Land and Improvement Company.
Mizpah Agricultural and Industrial Company.
Moffett, Hodgkins and Clarke Company.
Montgomery Creamery Company.
Mooney's Express Company.
Morrell Metallic Railway-Tie Company.
Mosaic Tile Company.
Mount Arlington Hotel and Land Company.
Mount Tabor Land Company.
Mullin Dredging and Lightering Company.
Municipal Statistics Company.
Mutual Coal and Ice Company.
Mutual Investment Company.
Mystic Publishing Company.
Naegele Watch and Jewelry Company.
National Automatic Orchestra Company.
National Book Company.
National Capsule Company.
National Contracting Company.
National Dredging and Construction Company.
National Feed Company.

National Fire Apparatus Manufacturing Company.
National Fuel, Gas and Water Works Construction Company.
National Pipe and Paving Company.
National Press Company.
National Real Estate Company.
National Real Estate Corporation.
National Real Estate and Investment Company.
National Steel Rail Paving and Construction Company.
National Time Stamp Company.
National Transportation Poudrette and Fertilizing Manufacturing Company.
National Union Company.
National Vacuum Drying and Air Distilling Company.
National Velvet Company.
Newark Construction Company.
Newark and New York Elevated Road Company.
Newark Real Estate Company.
New Cassel Manufacturing Company.
New England Advertising Company.
New England Granite and Building Company.
New England Power Company.
New Humanity.
New Jersey Asphalt Pavement and Conduit Company.
New Jersey Automatic Hinge Company.
New Jersey Hedge Company.
New Jersey Nitrate Company.
New Jersey Photographic Stock Company.
New Market Horse Company.
New Process Fruit Packing and Preserving Company.
Newtown Electric Light and Power Company.
New York and Brooklyn Fire Despatch Company.
New York and Chicago Chemical Company.
New York Connecting Railroad Construction Company.
New York Correspondence School of Law.
New York Dredging Company.
New York and Elizabeth Transportation Company.
New York Financial Union.
New York Fur Cutting Company.
New York and Gulf Steamship Company.
New York and Havana Trust and Safe Deposit Company.

New York and New Jersey Transfer Storage and
Commission Company.
New York Painting and Decorating Company.
New York Publishing Company.
New York and Puerto Principe Mining Company.
New York and Samana Bay Plantation and Trading
Company.
New York Standard Publishing Company.
New York Superheating and Purifying Company.
New York Underwriters and Guarantee Association.
New York Visual Telegraph Company.
New York Volta Electric Battery Company.
New York and West Virginia Coal and Iron Com-
pany.
North American Mining Investment Company.
Northern Ice Manufacturing Company.
North Jersey Paper Company.
North River Land Company.
North River Tunnel Contract Company.
Northumberland Improvement Company.
Northwest Despatch Fast Freight Line Company.
Norwich Insulated Wire Company.
Nott Manufacturing Company.
Ogema Mining and Smelting Company.
Oneida Paper Manufacturing Company.
Opinion Publishing Company.
Orange Chemical Company.
Organization Syndicate (Limited).
Oriental High Art Interior Decoration Company.
Osborne Automatic Refrigerating Company.
Ozone Manufacturing Company.
Paige Hotel Company.
Palmer Trade Publishing Company.
Papier Glace Company.
Patentees Protective Union.
Patent Slate and Plaster Company.
Peninsular Carpet Mills.
Penn Mining and Metallic Paint Company.
Pennsylvania Erny Refrigerating Company.
Pennsylvania Feed Water Heater and Purifier Com-
pany.
Penobscot Bay Granite Company.

Peoples Burial Association.
Peoples Pure Ice Company.
Pequest Distilling Company.
Perfection Thermometer and Novelty Company.
Phenix Mining and Manufacturing Company.
Philadelphia Credit Exchange.
Philadelphia Dredging Company.
Philadelphia Ice Machine Company.
Philadelphia Land Improvement Company.
Philadelphia Wire Nail Company.
Phoenix Lamp Company.
Phoenix Oil Company.
Piguet Stationery and Novelty Company.
Pickert Land, Grain and Stock Raising Company of
North Dakota.
Pierson Hardware Company.
Pitthan and Bolle Art Glass and Decorative Company.
Plaquemines Tropical Fruit Company.
Polar Ice Manufacturing Company.
Premier Manufacturing Company.
Printing Press Exchange Company.
Prospect Land Improvement Company.
Pyrolith Company.
Quitman Lumber Company.
Railroad Automatic Torpedo Machine Company.
Railroad Safety Signal Company.
Railway Ammonia Motor Company.
Railway Investment Company.
Rapid Safety Heating Company.
Rapid Stone Grinding and Polishing Machine Com-
pany.
R. B. Beaumont Company.
Real Estate News Company.
Real Estate Union.
Red Bank Electrical Illuminating Company.
Reno Bond Company.
Rhoades and Dick Company.
Richard Thompson Company.
Rich Electric Heating Company.
Ridgfield Improvement Company.
R. J. Frank Soap Company.
Roasted Cereals Company.

Rogers Manufacturing Company (formerly Chas. F. Rogers and Company).
Rosario Mill and Mining Company.
Rosedale Company.
Rotary Ticket Printing and Numbering Machine Company.
Royaline Manufacturing Company.
Royal Investment Company.
Roy Valve Company.
Rutherford News Publishing Company.
Sachs Pruden Manufacturing Company.
Safety Metallic Railway Tie Company.
Sandia Mining and Smelting Company.
San Manuel Sugar Company of Cuba.
Saratoga Kissingen Spring Company.
Saunders and Fee Company.
Saxonian Manufacturing Company.
Scharff Manufacturing Company.
Scott Company.
Scott Electrical Manufacturing Company.
Sea Board Freight Clearing House.
Sea Isle City Lot and Building Association, No. 3.
Seaside Exchange Company.
Seaside Publishing Company.
Seven Stars Gold Mining Company.
Shawmut Clay Manufacturing Company.
Sherman Manufacturing Company.
Shoemaker Automatic Car Coupler Company.
Simplex Bottle Manufacturing Company.
Sims Lumber Company.
Sipanong Lake Ice Company.
Sisum Rivetting Machine Company.
Smith Transparent Ice Manufacturing Company.
Soma Company.
Southern Land Company.
Southern Rubber Manufacturing Company.
South Lakewood Hotel Company.
Spanish-American Light and Power Company.
Spanish Electric Company.
Speedling Manufacturing Company.
Spellier Electric Time Company.
Sphere Manufacturing Company.
Standard Cement and Asphalt Company.

Standard Mining and Improvement Company of New Jersey.

Standard Refrigerating Company.

Standard Wrapping Machine Company.

Star Automatic Feed Bag Company.

Star Blank Book and Binding Company.

Star Electrix Company.

State Electric Light, Heat and Power Company.

Steel Tackle Block Company.

Sterns Manufacturing Company.

Suburban Home Association of Montclair.

Suburban Land Company.

Suburban Land Improvement Company of New Jersey.

Suburban Land and Investment Company.

Sunday Standard Publishing Company.

Surf Side Hotel Company.

Sussex Butter Company.

Taylor Wire Nail Company.

Texas Coal-Tar and Asphaltum Company.

Texas Construction Company.

Thalmessinger Stationery and Printing Company.

Theo. R. Beardsley.

Thermo-Electric Company.

Thetford Asbestos Cotton Company.

Thinnes Expansion Bolt Company.

Thomson Box and Paper Company.

Thomas Braid Company.

Time Stamp Company.

T. L. V. Land and Cattle Company.

Toby Store and Supply Company.

Toby Valley Supply Company.

Treen Manufacturing Company.

Trenton Press Publishing Company.

Tropical Trading Company.

Tuxedo Silk Manufacturing Company.

Twin Tumbler Lock Company.

Tyberg Typewriter Company.

Uimbi Gold Mining Company.

Union Carriage Supply Company.

Union Credit Company.

Union Land and Improvement Company.

Union Depot and Terminal Company of Augusta, Georgia.

Union Supply Company.
Union Telephone and Electric Manufacturing Company of New Jersey.
United States Automatic Fastener Company.
United States, China and Yokohama Trading Company.
United States Heat, Light and Power Company.
United States Hotel Company of New Jersey.
United States Interchangeable Stencil Company.
United States Land Improvement Company.
United States Manufacturers Sales Company.
United States Manufacturing Company, No. 2.
United States Municipal Exchange.
United States Newspaper Publishing Company.
United States Passenger Car Cooling Company.
United Tooth Crown Company.
United Workmen Purchaser's Corporation.
Universal Cash Register Company.
Universal Folding Bath-Tub Company.
Universal Index Company.
Universal Water-Heater Company.
Van Dyk Manufacturing Company.
Vesta Manufacturing Company.
Vineland Improvement Company.
Vineland Knitting Mills Company.
Virginia Live Stock Company.
Walker Electric Company.
Wallick Manufacturing Company.
Waring Sewer Pipe Company.
Warren Water, Light and Power Company.
Warrior Coal-Mining and Coke Company.
Washington Catering Company.
Washington Heights Land Company.
Watson and Karsch Manufacturing Company.
Waverly Company.
Webmor Manufacturing Company.
Weedon Plan and Construction Company.
Weir Automatic Coupler and Railway Supply Company.
Wellman Gas Carburetor Manufacturing Company.
West Asbury Park Water Company.
Western Chemical Company.
Western Mining and Manufacturing Company.

Westfield Investment and Improvement Company.
 Westview Hotel Company.
 W. F. Kidder Company.
 White Power and Heat Company.
 W. H. Jones Agricultural Implement Company
 (Limited).
 Wickham Novelty Company.
 Williams Process Iron Company.
 Windsor Hotel Company (Trenton, N. J.).
 Winter Circus Company.
 W. J. Anderson Manufacturing Company.
 Wm. Russell Company.
 Woolf Electrical Company.
 Woolf Electric Disinfecting Company.
 Woolverton Glow Arc Electric Light Company of
 New York City.
 World's Office Diary Publishing Company.
 W. T. Mersereau Company.
 Wyoming Canning Company.
 Yonkers and Alpine Ferry Company.
 Zucker and Levett Manufacturing Company.

are void, and all powers conferred by law upon such corporations, and each of them, are hereby declared inoperative and void.

And I direct that this proclamation shall be filed in the office of the secretary of state and be published for one week in the following newspapers, namely:

"The Paterson Daily Press," of Paterson; "The Jersey City Journal," of Jersey City; "The Newark News," of Newark; "The State Gazette," of Trenton; "The Camden Courier," of Camden; "The Home News," of New Brunswick, and "The Atlantic Review," of Atlantic City.

In witness whereof I have hereunto set my hand and caused the great seal of the state to be affixed, at Trenton, this fifth day of May, eighteen hundred and ninety-six.

[SEAL.]

JOHN W. GRIGGS,

By the Governor.

Governor.

A. H. RICKEY,

Assistant Secretary of State.

PROCLAMATION.

WHEREAS, It has been satisfactorily made to appear that in the list of New Jersey corporations reported to the governor of said state on the 1st day of May, 1893, was inadvertently included the corporation known as the Montgomery Webb Company as one of such corporations which had for two consecutive years failed, neglected and refused to pay the state taxes which had been assessed against them for the years 1887 and 1888 under the laws of the said state of New Jersey and made payable into the State Treasury;

AND WHEREAS, It appears that all taxes due from said Montgomery Webb Company have been paid by the said company to the proper officers of said state, and that said company is not liable to the penalties set forth in the proclamation of the governor of said state bearing date the 31st day of October, 1893, although said corporation known as the Montgomery Webb Company is included in the list of corporations specified therein,

Now therefore, I, JOHN W. GRIGGS, Governor of the said State of New Jersey, do hereby issue this my proclamation revoking so much of the said proclamation of October 31st, 1893, above referred to, as applies to the said corporation named therein as the Montgomery Webb Company, and said last-named company is hereby declared to be restored to all of its corporate rights, powers, privileges and franchises as fully as if said proclamation of October 31st, 1893, had not been issued and published as aforesaid.

And I further direct that this proclamation be filed in the office of the Secretary of State of the State of New Jersey.

In witness whereof, I have hereunto set my hand and caused the great seal of the said State of New Jersey to be hereunto affixed, at the city of Trenton, this twenty-sixth day of May, A. D. eighteen hundred and ninety-six.

JOHN W. GRIGGS.

By the Governor.

A. H. RICKEY, *Assistant Secretary of State.*

[SEAL]

INDEX.

(423)

INDEX.

A

	Page
Accommodations for the transaction of the public business— supplement to act to enable counties of the second class to furnish.....	264
Actions—act to amend act for the limitation of.....	119
against sheriffs—act limiting the time for bringing.....	358
Administration of intestates' estates—supplement to act con- cerning	173
Agricultural college—Act to amend supplement to act appro- priating scrip for the public lands granted to the state	192
fairs and exhibitions—act relative to corporations for the holding of.....	183
Aimee, Marie—act to release and convey the title and interest of the State in and to certain real estate of.....	327
Alderman at large—act to provide for the election of, in certain cities.....	124
Allen, Horace L.—member from Hudson county.	6
Alpaugh, William C.—member from Hunterdon county.....	7
Animals—act for the better protection of, on the public streets and highways.....	343
Application to the legislature for laws—supplement to act to prescribe notices to be given of.....	92
Appointments to office—act relating to elections and, by any board of aldermen, common council, township com- mittee or other municipal board or body.....	120
Appropriation act—for the support of the state government.....	364
Appropriation bill—supplement to act making appropriations for the support of the state government.	221
Appropriations for the support of the state government—act making	364
Arbitration of the claims of William Brumaker—act relative to the	101
Arbor day—proclamation of the governor.....	402
Armories—act to amend supplement to act to provide for the purchase of sites for and the erection and equipment of, in cities of the first and second class.....	242
Armories—supplement to act to provide for the purchase of sites for and the erection and equipment of, in cities of the first and second class.....	361
Arrears of taxes—act concerning the collection of, by towns, boroughs or townships.....	201
act to establish rate of interest on, in cities...	163

	Page
Arrears of taxes and assessments in towns, townships and boroughs—act respecting.....	230
Arrearages of unpaid taxes, assessments and water-rates in cities—supplement to act concerning the settlement and collection of.....	190
Ashes—act concerning the collection, removal and disposal of, in cities.....	56
Assessments—act providing for the apportionment of, in cities of the first class.....	172
act relating to the confirmation of, for local improvements in certain cities.....	360
act respecting arrears of, in towns, townships and boroughs.....	230
act to establish rate of interest on arrears of, in cities.....	163
supplement to act concerning the making and collecting of, for benefits by the construction of sewers and drains.....	253
Assessments in cities—supplement to act concerning settlement and collection of arrearages of unpaid.....	190
Assessors—act respecting term of office of, in towns.....	55
Assistant prosecutor of the pleas—supplement to act respecting,	127
Associations—Act regulating the time within which annual reports shall be filed with the commissioner of banking and insurance.....	332
Austin, Thomas F.—member from Cumberland county.....	6
Avenues—supplement to act respecting the opening, widening, extending or otherwise improving of, in cities of the first class.....	62
Asylums, orphan—act to further provide for the formation of a quorum in boards of trustees in incorporated.....	87

B

Bakeries—act to regulate the manufacture of flour and meal-food products.....	266
Banking and insurance—act regulating the time within which annual reports shall be filed with the commissioner of,	332
Banks, savings—supplement to act concerning.....	197
Barnard, Charles S.—act placing on the retired list of the national guard, with the rank of major.....	96
Bauer, Charles T.—member from Hudson county....	6
Belvidere Delaware Railroad Company—act approving of the union, consolidation and merger of the, and the Martin's Creek Railway Company and the Enterprise Railroad Company.....	176
Benedict, David E.—member from Essex county.....	6
Bicycles—act to regulate the use of.....	21
Bicycle paths—act authorizing the construction of, along public roads in townships.....	100
Birds—supplement to act for the protection of certain kinds of..	247
Board of aldermen—act relating to elections and appointments to office by any.....	120
Board of chosen freeholders—act to amend act to organize.....	57

	Page
Board of chosen freeholders of Middlesex—act to empower the, to build a drawbridge over the Raritan.....	169
Board of commissioners—act to abolish township committees in townships wherein there may now or hereafter exist any town, village or any municipality governed by a, or improvement commission.....	269
act to provide a method for the condemnation of lands required for highways or sewers in municipalities governed by a.....	231
Board of public works—act to make valid certain ordinances heretofore adopted by any.....	249
Board of trustees of teachers' retirement fund—supplement to act to constitute a.....	58
Board of visitors to agricultural college—act to amend supplement to act appropriating scrip for the public lands granted to the state.....	192
Boards—act to amend act creating, for the management of public roads and parks.....	80
Boards of aldermen or common councils—act to repeal act relating to vacancies in.....	19
Boards of chosen freeholders—act concerning, in counties of the first class.....	121
supplement to act to authorize, to lay out, open, construct, improve and maintain a public road.....	272
supplement to act to authorize, to lay out, open, construct, improve and maintain public roads.....	93
Boards of commissioners—act respecting, for the assessment of damages and benefits for local improvements in cities of the first class.....	137
Boards of education—act to repeal act relative to vacancies in, in cities of the first class.....	52
Boards of fire commissioners—act concerning the powers of, in cities of the first class.....	360
Boards of health—act concerning the enforcement of the health code and ordinances and regulations of the local, in cities, towns, townships or other municipalities wherein sewers are now or hereafter may be constructed.....	345
Boards of street and water commissioners—supplement to act constituting, in cities of the first class.....	214
Boardwalks—act to authorize cities on or near the Atlantic ocean to lay out, construct, repair or enlarge and maintain, along the sea front.....	71
Bordentown—act to amend act relative to the manual training school at.....	158
Borough—act to amend act authorizing any, or part thereof containing five thousand inhabitants to be incorporated as a city.....	211

	Page
Borough—act to amend act authorizing any, or part thereof to be incorporated as a city.....	38
Borough commissions—act relating to.....	339
Borough governments—act to amend supplement to act for the formation of.....	89
act to amend supplement to supplement to act for the formation of.....	90
amendment to supplement to act for the formation of.....	341
act relating to boroughs and borough commissions.....	339
supplement to act for the formation of.....	199
Boroughs—act concerning the collection of arrearages of taxes and assessments by.....	201
act for the division of the assets and liabilities of townships between such townships and any, set-off from the same.....	270
act relating to.....	339
act relating to the formation of.....	171
act respecting arrears of taxes and assessments in... ..	230
act to amend act to amend act respecting licenses in... ..	67
act to amend act to provide for the division into wards of incorporated.....	143
act to amend supplement to act for the formation of governments of.....	89
act to amend supplement to supplement to act for the formation of governments of.....	90
act to provide for music for public parks and other public places in.....	108
amendment to supplement to act for the formation of borough governments.....	341
supplement to act concerning.....	134
supplement to act for the formation of governments of.....	199
Borton, Joshua E.—member from Burlington county.....	6
Bowers, William K.—member from Warren county.....	7
Bradley, James A.—senator from Monmouth county.....	5
Bread—act to regulate the sale of.....	261
Bridges—act to amend act to authorize the construction and maintenance of, over navigable waters between counties.....	115
act to amend supplement to supplement to act respecting.....	166
act to empower the board of chosen freeholders of Middlesex to build a drawbridge over the Raritan... ..	169
supplement to act respecting.....	250
Broad tires on wagons and carts—act to amend act to encourage the use of.....	117
Brumaker, William—act relative to the arbitration of the claims of.....	101
Building companies—act to enable persons heretofore organized under the act incorporating, to sell and convey lands and real estate.....	167
Buildings, public—act to authorize the purchase and erection of and the purchase of land thereof in cities.....	351
Bullock, Samuel—member from Passaic county.....	7

O

	Page
Cagney, David H.—member from Hudson county.....	6
Camp meeting association—act respecting the granting of licenses to sell spirituous, vinous or malt liquors within limits of lands of any.....	53
Carts—act to amend act to encourage the use of broad tires on..	117
Catfish—act permitting the catching of, by set-lines and fish-baskets and fish-weirs in the streams tributary to the Delaware above Trenton falls.....	254
Cede jurisdiction to the United States—act to, over lands in the county of Bergen.....	47
Ceding jurisdiction to the United States over lands in county of Bergen—act for.....	47
Cemeteries—act relating to the establishment and enlargement of, in cities of the first class.....	46
Chancery—act for the appointment of women as masters in....	189
act respecting fees of the clerk in.....	50
supplement to act respecting the court of.....	200
Chancery reports—act to provide for a supplement to Stewarts'..	138
Charities and correction—act to repeal act to create a council of state.....	179
Charter elections—act relating to the time of holding, in cities of the first class.....	169
Chosen freeholders—act to amend act to organize boards of.....	57
act concerning boards of, in counties of the first class.....	121
act to empower the board of, of Middlesex county to build a bridge over the Raritan,	169
supplement to act to authorize boards of, to lay out, open, construct, improve and maintain a public road.....	272
supplement to act to authorize boards of, to lay out, open, construct, improve and maintain public roads.....	93
Christie, James A.—member from Essex county.....	6
Cities—act authorizing certain, to enter into contracts with railroad companies granting them the right to lay tracks upon the roads or streets.....	258
act concerning and regulating insurance on public buildings in.....	178
act concerning the collection, removal and disposal of ashes and garbage in.....	56
act concerning the enforcement of the health code and ordinances and regulations of the local boards of health in, wherein sewers are now or hereafter may be constructed.....	345
act relating to the confirmation of assessments for local improvements in certain.....	360
act relating to the formation of.....	229
act respecting sewers and sewer connections in.....	159
act to amend act authorizing any town, township or borough or part thereof to be incorporated as a city...	38

	Page
Cities--act to amend act authorizing any town, township or borough, or part thereof, containing five thousand inhabitants to be incorporated as a city,.....	211
act to authorize the purchase and erection of public buildings and the purchase of land thereof in.....	351
act to enable, to open streets, highways and alleys therein.....	42
act to enable, to sell any contingent interest in lands limited to a particular public use.....	25
act to establish rate of interest on arrears of taxes and assessments in.....	163
act to make valid certain ordinances heretofore adopted by any board of public works in.....	249
act to provide for the election of an alderman-at-large in certain.....	124
supplement to act to authorize, to establish and maintain free public libraries.....	36
supplement to act concerning the settlement and collection of arrearages of unpaid taxes, assessments and water rates in.....	190
Cities on or near the Atlantic ocean--act to authorize, to lay out, construct, repair or enlarge and maintain boardwalks or sidewalks and streets and public places along the sea front of.....	71
Cities located on or near the ocean--supplement to act to authorize, to lay out and open streets and drives, &c., on the ocean front.....	18
Cities of the first class--act concerning powers of boards of fire commissioners in.....	360
act concerning the number of commissioners of deeds in and for.....	58
act for the abolition of railroad grade crossings in.....	139
act relating to the establishment and enlargement of cemeteries in.....	46
act relating to the taking and appropriating lands and real estate in, for street improvements.....	98
act relating to the time of holding municipal or charter elections in.....	169
act respecting.....	172
act respecting and relating to the granting of licenses by.....	237
act respecting boards of commissioners for the assessment of damages and benefits for local improvements in.....	137
act to repeal act relating to vacancies in office of alderman or common councilman in.....	19
act to repeal act relating to vacancies in the office of school commissioners or in boards of education in.....	52
supplement to act concerning and constituting boards of street and water commissioners therein.....	214

	Page
Cities of the first class—supplement to act respecting the opening, widening, extending or otherwise improving of streets, avenues and public highways in.....	62
supplement to supplement to act for the appointment of police justices in	355
Cities of the first and second class—act to amend supplement to act to provide for the purchase of sites for and the erection and equipment of armories in.....	242
supplement to act to provide for the purchase of sites for and the erection and equipment of armories in.....	361
Cities of second class—act providing for purchase of land and construction and repair of buildings for high school purposes in.....	43
act to authorize the appointment of collectors of personal taxes in.....	99
act to enable, to repave streets.....	94
Cities of the third class—act to enable, to improve and repair water-works in.....	87
Claims to estates—act to compel the determination of.....	243
Claims—supplement to act for the preservation of.....	336
Classification of counties—act to amend act for the.....	84
Clauss, Henry—member from Union county.....	7
Clerk in Chancery—act respecting fees of the.....	50
Clerk of the supreme court—act respecting fees of the.....	50
Clerks—act respecting term of office of, in towns.....	55
Clerks of grand juries—act to provide for the appointment of, in counties of the third class.....	109
Coddington, William R.—member from Union county.....	7
Collectors of personal taxes—act to authorize the appointment of, in certain cities of the second class.....	99
Collectors of taxes—act respecting term of office of, in towns....	55
Collection of unpaid taxes, assessments and water rates in cities—supplement to act concerning the settlement and... ..	190
Commission on penal laws—joint resolution relative to the.....	196
Commissioner of banking and insurance—act regulating the time within which annual reports shall be filed with the,	332
Commissioner of public roads—act giving the, a fixed salary... ..	147
Commissioners—act for the appointment of, to consider a system of sewage disposal for the valley of the Passaic river.....	20
act respecting boards of, for the assessment of damages and benefits for local improvements in cities of the first class.....	137
Commissioners of county sinking funds—act to constitute.....	390
Commissioners of deeds—act concerning the number of, in and for cities of the first class.....	58
Commissioners of sinking funds—supplement to act relative to the establishment of, in certain townships	79

	Page
Commissioners, street light—act to amend act authorizing the election of, in townships.....	132
Common Council—act relating to elections and appointments to office by any.....	120
Condemnation—act concerning the acquiring of lands by.....	349
Condemnation of lands—act concerning.....	349
act to provide a method of procedure for the, required for highways or sewers in towns, villages and in municipalities governed by a board of commissioners or improvement commissions.....	231
supplement to act concerning the.....	68
Confectioners—act to regulate the manufacture of flour and meal products.....	266
Confirmation of assessments—act relating to the, for local improvements in certain cities.....	360
Conveyances—act concerning, heretofore made by sheriffs.....	77
act concerning the number of commissioners of deeds in and for cities of the first class.....	58
act in relation to certain public sales of lands.....	133
Corporations—act concerning.....	277
act regulating the time within which annual reports shall be filed with the commissioner of banking and insurance.....	332
act to enable persons heretofore organized under the act incorporating homestead or building companies to sell and convey lands and real estate.....	167
act to provide for the payment of wages every two weeks.....	262
act relating to electric light, heat and power companies.....	322
act relating to steam heat and power companies, act relative to, for the holding of agricultural fairs and exhibitions.....	183
act relative to the expense of investigating delinquent, in making returns.....	321
act relative to the residence of directors and officers of.....	102
act to regulate the construction, operation and maintenance of street railroads.....	329
act to authorize the dissolution of railroad.....	23
act to repeal sundry acts relative to.....	323
supplement to act for the imposition of state taxes upon certain.....	319, 392
charters of, declared inoperative and void—proclamation of the governor.....	403
proclamations by the governor correcting mistakes relative to:	
Interstate Terminal Construction Co.....	398
Lake View Home Co.....	401
Loughbridge Brake and Car Co.....	400
Maryland Ice Co.....	396
Montgomery-Webb Co.....	421

	Page
Corporations—proclamations by the governor correcting mistakes relative to	
Pine Lake Park Land and Improvement Co	399
Windsor Co.....	402
Cotton States and International Exposition—proclamation of the governor.....	395
Council of state charities and correction—act to repeal act to create a.....	179
Counties—act to amend act for the classification of	84
act to amend act to authorize the construction and maintenance of bridges over navigable waters between.....	115
act to amend act to organize boards of chosen freeholders in.....	57
act to constitute commissioners of county sinking funds.....	390
supplement to act to enable, which have no county hospital to assist in maintaining hospitals.....	353
supplement to act to authorize boards of chosen freeholders to lay out, open, construct, improve and maintain a public road in.....	272
Counties of the first class—act concerning boards of chosen freeholders in.....	121
Counties of the second class—act explanatory of act to fix salary of prosecutors of the pleas in.....	130
supplement to act concerning roads in.....	174
supplement to act to enable, to furnish accommodations for the transaction of public business.....	264
Counties of the third class—act to provide for the appointment of clerks of grand juries in.....	109
County buildings—supplement to act to enable counties of the second class to furnish accommodations for the transaction of public business.....	264
County courts—act establishing	236
County sinking funds—act to constitute commissioners of.....	390
County of Middlesex—act to empower the board of chosen freeholders of, to build a bridge over the Raritan.....	169
Coursen, William P.—member from Sussex county.....	7
Courts—act relating to district.....	25
act repealing sundry acts abolishing the inferior courts of common pleas, courts of oyer and terminer, and courts of general quarter sessions of the peace, and establishing county courts	236
act to provide for the release of sureties.....	109
act to reduce the number of judges of the inferior courts of common pleas, courts of oyer and terminer, orphans' courts, and courts of general quarter sessions.....	149
act to repeal act to authorize, to give force and effect to depositions taken stenographically	239
act to repeal supplement to act respecting the orphans' court.....	235

	Page
supplement to act respecting the court of chancery.....	200
Courts of common pleas—act to reduce the number of judges of the.....	149
Courts, district—act relating to the.....	164
supplement to act constituting.....	193
supplement to act constituting, in certain cities.....	180
supplement to act respecting, in certain cities..	161
Courts of general quarter sessions of the peace—act to reduce the number of judges of the.....	149
Courts of law—act to amend act to regulate the practice of.....	185
Courts, orphans'—act to reduce the number of judges of the.....	149
Courts of oyer and terminer—act to reduce the number of judges of the.....	149
Courts—supplement to supplement to act to provide for the appointment of police justices in cities of the first class.....	355
Creditors—act to amend act to amend act to secure to an equal and just division of the estates of debtors who con- vey to assignees for the benefit of.....	177
Crimes—supplement to act for the punishment of.....	64
Custody of infants—supplement to act concerning the.....	171

D

Daly, William D.—senator from Hudson county.....	5
Deaf and dumb—supplement to act providing for a state institu- tion for indigent.....	138
Deaf-mutes—supplement to act providing for a state institution for indigent.....	138
Debtors—act to amend act to amend act to secure to creditors an equal and just division of the estates of, who con- vey to assignees for benefit of creditors.....	177
Deeds—act concerning, heretofore made by sheriffs.....	77
Deficiency appropriation bill—supplement to act making appro- priations for the support of the state government.....	221
Delaware river—act to repeal section of supplement to act to regulate fisheries in the.....	104
Delaware and West Amwell townships—act to change the boundary line between.....	70
Delaware River Railroad and Bridge Company—act approving consolidation and merger of.....	26
Deposit companies—supplement to act for the incorporation of..	348
Depositions—act to repeal act authorizing courts to give force and effect to, taken stenographically.....	239
Deputy fish and game wardens—act for the appointment of.....	185
Derousse, Louis T.—member from Camden county.....	6
District courts—act relating to.....	25
act relating to the.....	164
supplement to act constituting.....	193
supplement to act constituting, in certain cities,	180
supplement to act constituting, in certain cities,	161
Division of incorporated towns, townships and boroughs into wards—act to amend act to provide for the.....	143

	Page
Division of townships into street lighting districts—act to amend act authorizing the, and the maintenance of street lights therein.....	132
Dogs—supplement to act providing for the licensing of.....	234
Dover—act to set off town of, from township of Randolph.....	40
Drainage or sewerage—act to amend act to provide for, or both, in townships.....	337
Drains—supplement to act concerning the making and collecting of assessments for benefits by the construction of.....	253
Dumb and Deaf—supplement to act providing for a state institution for the indigent.....	138
Duncan, Charles B.—member from Essex county.....	6

E

Education—supplement to act for the establishment of schools for industrial.....	86
Eels—act permitting the catching of, by set-lines and fish-baskets and eel-pots in the streams tributary to the Delaware above the Trenton falls.....	254
Elections—act concerning.....	37
act to amend supplement to act to regulate.....	213
act relating to the time of holding charter, in cities of the first class.....	169
supplement to act to regulate.....	13, 85, 128, 216, 252
Electric light companies—act relating to.....	322
Employees—act to amend act to secure to, in manufactories their wages.....	53
Engle, Robert B.—senator from Ocean county.....	5
Enterprise Railroad Company—act approving of the union, consolidation and merger of the, and the Martin's Creek Railway Company and the Belvidere Delaware Railroad Company.....	176
Erection of public buildings in cities, and the purchase of land thereof—act to authorize the.....	351
Estates—act to compel the determination of claims to.....	243
Estates of debtors—act to amend act to amend act to secure to creditors an equal and just division of, who convey to assignees for the benefit of creditors.....	177
Evidence—supplement to act concerning.....	344
Executors—supplement to act concerning.....	173
Exhibitions and fairs, agricultural—act relative to corporations for the holding of.....	183

F

Factories—act to amend general act relating to.....	251
Fairs and exhibitions, agricultural—act relative to corporations for the holding of.....	183
Fees of the clerk of the supreme court and of the clerk in chancery—act respecting the.....	50

	Page
Fire commissioners—act concerning powers of boards of, in cities of the first class.....	360
Fish—supplement to act for the protection of certain kinds of...	247
supplement to act for the better protection of, in the Raritan river and its tributaries.....	354
Fish and game—act for the appointment of deputy fish and game wardens.....	185
act permitting the catching of catfish and eels by set lines and fish baskets and fish weirs or eel pots in the streams tributary to the Delaware above Trenton Falls.....	254
supplement to act for the better protection of fish in the Raritan river and its tributaries...	354
supplement to act for the protection of certain kinds of.....	247
act to repeal section of supplement to act to regulate fisheries in the river Delaware.....	104
Fishing by steam and other vessels—act to regulate..	151
Fish wardens—act for the appointment of deputy.....	185
Flag, state—joint resolution to define the.....	176
Fleming, Pierce J.—member from Hudson.....	6
Flour food products—act to regulate the manufacture of.....	266
Flummerfelt, Alfred L.—member from Warren county.....	7
Food products—act to regulate the manufacture of	266
Footpaths—act authorizing the construction of, along public roads in townships.....	100
Francis, Charles A.—member from Monmouth county.....	7
Freeholders, chosen—act to amend act to organize boards of.....	57
act to empower the board of, of Middlesex county to build a bridge over the Raritan.....	169
Free public libraries—supplement to act to authorize cities to establish and maintain.....	36
act to amend supplement to act to authorize establishment of.....	73
supplement to act to amend supplement to act to authorize the establishment of.....	238
Fruit trees—act to protect, from injury by horses, mules and other animals.....	239
Game—supplement to act for the protection of certain kinds of,	247
Game and fish—act for the appointment of deputy fish and game wardens.....	185
act permitting the catching of catfish and eels by set lines and fish baskets, and fish weirs or eel pots in the streams tributary to the Delaware above Trenton Falls.....	254
act to repeal section of supplement to act to regulate fisheries in the river Delaware.....	104
supplement to act for the better protection of fish in the Raritan river and its tributaries,	354
supplement to act for the protection of certain kinds of.....	247
Game wardens—act for the appointment of deputy.....	185

	Page
Garbage—act concerning the collection, removal and disposal of, in cities.....	56
General appropriation act—for the support of the state government.....	364
General quarter sessions of the peace—act repealing sundry acts abolishing courts of.....	236
Gledhill, Henry W.—member from Passaic county.....	7
Gould, Jacob—senator from Sussex county.....	5
Grade crossings—act for the abolition of railroad, in cities of the first class.....	139
Grand juries—act to provide for the appointment of, in counties of the third class.....	109

H

Hackensack improvement commission—supplement to act to incorporate the.....	196
Hard roads—act to authorize legal voters of towns to direct a tax for the construction of.....	136
Harrison, Amos W.—member from Essex county.....	6
Harvey, Hayward A.—member from Essex county.....	6
Health—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 wherein sewers are now or hereafter may be constructed.....	345
Heat and power companies, steam—act relating to.....	317
Heat, power and electric light companies—act relating to.....	322
Herbert, Charles B.—senator from Middlesex county.....	5
Hewitt, John E.—member from Hudson county.....	6
Hicks, Edward W.—member from Middlesex county.....	7
Highways—act for the better protection of travelers, pedestrians, vehicles and animals on the public.....	343
act providing for working, amending, repairing and keeping in order, adjoining and forming the boundary line between two municipalities.....	342
act to provide a method of procedure for the condemnation of lands required for, in towns, villages, and in municipalities governed by a board of commissioners or improvement commissions.....	231
supplement to act respecting the opening, widening, extending or otherwise improving of, in cities of the first class.....	62
Hoffman, Samuel D.—senator from Atlantic county.....	5
Hogan, James J.—member from Essex county.....	6
Home for disabled soldiers—joint resolution providing for the re-appointment of commission to prepare plan for the erection and maintenance of a home for.....	131
Homestead companies—act to enable persons heretofore organized under the act incorporating, to sell and convey lands and real estate.....	167
Hoos, Edward—member from Hudson county.....	6
Hopkins, Charles F.—member from Morris county.....	7

	Page
Hospitals—supplement to act to enable counties which have no county hospital to assist in maintaining.....	353
Hospitals for the insane—act to amend act respecting, and the admission of indigent patients thereto.....	147
Huebsch, Henofcefa—act to grant and release the title and interest of the people in and to certain real estate of which died seized.....	181
Hutchinson, Elijah C.—member from Mercer county.....	7

I

Improvement commission—act to abolish township committees in townships wherein there now or hereafter may exist any town, village or any municipality governed by a board of commissioners or.....	269
Improvement commissions—act to amend act to enable towns, villages and municipalities governed by, to construct sewers through tide waters, creeks or water courses.....	106
act to provide a method for the condemnation of lands required for highways or sewers in municipalities governed by.....	231
Incidental expenses incurred by the joint committee on inauguration—act making appropriation to defray the.....	12
Incidental expenses of the legislature—act to defray the.....	255
Indigent deaf-mutes—supplement to act providing for a state institution for.....	138
Industrial education—supplement to act for the establishment of schools for.....	86
Industrial school at Bordentown—act to amend act relative to the.....	158
Infants—supplement to act concerning the custody of.....	171
Inferior courts of common pleas—act repealing sundry acts abolishing the.....	236
Insane—act to amend act respecting hospitals for the, and the admission of indigent patients thereto.....	147
Instruction, public—act to amend act to amend act to establish a system of.....	217
act to repeal section of act to amend act to establish system of.....	86
act to repeal supplement to act to establish system of.....	76
Insurance—act regulating, on public buildings in cities.....	178
act regulating the time within which annual reports shall be filed with the commissioner of.....	332
act respecting policies of life insurance.....	240
Insurance companies—act to amend act for the organization of Lloyds associations.....	156
act to amend act to provide for the regulation and incorporation of.....	129

INDEX.

439

	Page
Interest—act to establish rate of, on arrears of taxes and assessments in cities.....	163
Interstate Terminal Construction Company—proclamation of the governor.....	398
Intestates' estates—supplement to act concerning.....	173

J

Jackson, Marcellus L.—member from Atlantic county.....	6
Johnson, William M.—senator from Bergen county.....	5
Jones, Thomas H.—member from Essex county.....	6
Judges of the inferior court of common pleas—act to reduce the number of the.....	149
Justices, police—supplement to supplement to act for the appointment of, in cities of the first class.....	355

K

Kearney—act for the appointment of agents to acquire a tract of land for soldiers' home at.....	110
Ketcham, George W.—senator from Essex county.....	5
King, John—member from Passaic county.....	7
Kuhl, Richard S.—senator from Hunterdon county.....	5

L

Lake View Home Company—proclamation of the governor.....	401
Lands—act in relation to certain public sales of.....	133
act to compel the determination of claims to estates.....	243
supplement to act concerning condemnation of.....	68
Lands by condemnation—act concerning the acquiring of.....	349
Lands, condemnation of—act concerning.....	349
Lands for highways or sewers—act to provide a method of procedure for the condemnation of, in towns, villages and in municipalities governed by a board of commissioners or improvement commissions.....	231
Law reports—act to provide for a supplement to Stewarts'.....	138
Laws—supplement to act relative to statutes.....	10
supplement to act to prescribe notices to be given of application for, to the legislature.....	92
Lawshe, David—member from Hunterdon county.....	7
Legal voters—act to define the meaning and effect of a vote of.....	123
Libraries, free public—act to amend supplement to act to authorize establishment of.....	73
supplement to act to amend supplement to act to authorize the establishment of.....	238
supplement to act to authorize cities to establish and maintain.....	36

	Page
Licenses—act to amend act to amend act respecting licenses in boroughs.....	67
act relating to the granting of, by the common council or other governing body in cities of the first class...	237
act respecting, to sell spirituous, vinous or malt liquors within limits of lands of any camp meeting association	53
Licensing of dogs—supplement to act providing for the.....	234
Liens—supplement to act to secure to mechanics and others payment for labor and materials in erecting any building.....	103
Life insurance—act respecting policies of.....	240
Lighting districts, street—act to amend act authorizing the division of townships into.....	132
Lighting the state prison—act to make provision for.....	242
Limitation of actions—act to amend act for the.....	119
Linn, Frederick D.—act to authorize to prepare and publish supplement to Stewart's law and chancery reports....	138
Loughbridge Brake and Car Company—proclamation of the governor.....	400
Lloyd, Frank T.—member from Camden county.....	6
Lloyds associations—act to amend act for the organization of...	156
Lloyds form—act to amend act for the organization of insurance companies under the.....	156
Local improvements—act relating to the confirmation of assessments for, in certain cities.....	360
Lodi township—act to annex a portion of, to the township of New Barbadoes.....	194
Lower, Abraham—member from Ocean county.....	7
Ludlam, Furman L.—member from Cape May county.....	6

M

Macpherson, George W.—member from Mercer county.....	7
Manual training school—act to amend act to more fully carry out the act of congress relative to the.....	158
Manufactories—act to amend act to secure to operatives and others employes in, their wages.....	53
Manufacture of flour and meal food products—act to regulate the.....	266
Married men—supplement to act to amend the law relating to the property of.....	126
Married women—supplement to act to amend the law relating to the property of.....	126
Martin act—supplement to act concerning the settlement and collection of unpaid taxes, assessments and water rates in cities.....	190
Martin's Creek Railway Company—act approving of the union, consolidation and merger of the, and the Enterprise railroad and the Belvidere Delaware railroad company.....	176

	Page
Maryland Ice Company—proclamation of governor.....	396
Masters in chancery—act providing for the appointment of women as.....	189
Mechanics—supplement to act to secure to, payment for labor and materials in erecting any building.....	103
Mechanics lien law—act to amend supplement to.....	198
supplement to the.....	103
Menhaden fishing—act to regulate.....	151
Middlesex county—act to empower the board of chosen freeholders of, to build a bridge over the Raritan.....	169
Military park—act to cede jurisdiction to the United States over lands in the county of Bergen to be used as a....	47
Minch, Bloomfield H.—member from Cumberland county.....	6
Montgomery Webb Company—proclamation of the governor...	421
Monuments—act to amend act for the erection of, commemorative of services of soldiers and sailors of the late war	91
Mullin, Joseph P.—member from Hudson county.....	6
Municipal elections—act relating to the time of holding, in cities of the first class.....	169
Municipalities—act to amend act to enable, governed by commissioners or improvement commissions to construct sewers through tide-water creeks or water-courses.	106
act concerning the enforcement of the health code and ordinances and regulations of the local boards of health in, wherein sewers are now or hereafter may be constructed.....	345
act providing for working, amending, repairing and keeping in order public roads, streets and highways adjoining and forming the boundary line between two.....	342
Municipalities governed by a board of commissioners or improvement commissions—act to provide a method of procedure for the condemnation of lands required for highways or sewers.....	231
Museum, state—act to amend act to establish and maintain a ...	335
Music—act to provide for, for the public parks and other public places in boroughs.....	108
Mutes, deaf—supplement to act providing for a state institution for indigent.....	138

N

National guard—act placing Captain Charles S. Barnard on retired list of the, with rank of major.....	96
supplement to act for the organization of.....	35
National park—act to cede jurisdiction to the United States over lands in the county of Bergen to be used as a.....	47
New Barbadoes township—act to annex to a portion of the township of Lodi.....	194
New York and Greenwood Lake Railway—act consenting to the lease of.....	125
Notices—supplement to act to prescribe, to be given of application to the legislature for laws.....	92

O

	Page
Operatives—act to amend general act relating to factories and workshops	251
Operatives in manufactories—act to amend act to secure to, their wages.....	53
Ordinances—act to make valid certain, heretofore adopted by any board of public works.....	249
Ordinary—act to repeal supplement to act relating to the powers and duties of the.....	235
Ornamental trees—act to protect, from injury by horses, mules and other animals.....	239
Orphan asylums—act to further provide for the formation of a quorum in boards of trustees in incorporated... ..	87
Orphans' court—act to repeal supplement to act respecting.....	235
Orphans' courts—act to reduce the number of judges of the.....	149
Oyer and terminer—act repealing sundry acts abolishing courts of	236
Ovster commissioners—act appointing.....	186
Oysters—act to promote the propagation and growth of seed.....	186
supplement to act for the preservation of.....	336

P

Packer, Daniel J.—senator from Gloucester county.....	5
Palisades of the Hudson—act to cede jurisdiction to the United States over lands upon the.....	47
Parks—act to amend act concerning.....	80
Parks, public—act to provide for music for, in boroughs.....	108
Parry, William C.—senator from Burlington county.....	5
Parslow, William N.—member from Hudson county.....	6
Passaic river—act for the appointment of commissioners to consider system of sewage disposal for valley of the.....	20
Payment of wages—act to provide for the, every two weeks.....	262
Pedestrians—act for the better protection of, on the public streets and highways.....	343
Penal laws—joint resolution relative to the commission on.....	197
Pennsylvania and New Jersey Railroad Company—act approving consolidation and merger of.....	26
Pine Lake Park Land and Improvement Company—proclamation of the governor.....	399
Police justices—supplement to supplement to act for the appointment of, in cities of the first class.....	355
Policies of life insurance—act respecting.....	240
Poorhouses—act relating to, owned or maintained by townships,	127
Power companies—act relating to steam.....	317
Power, heat and electric light companies—act relating to.....	322
Powers, Charles W.—member from Salem county.. ..	7
Practice of courts of law—act to amend act to regulate the.....	185
Prison, state—act to make provision for lighting the.....	242
Proclamation of the governor—arbor day.....	402
thanksgiving day.....	397

	Page
Proclamation of the governor—charters of corporations declared inoperative and void..	403
relative to cotton states and international exposition.....	395
Interstate Terminal Construction Company.....	398
The Lake View Home Company...	401
Loughbridge Brake and Car Company,	400
Maryland Ice Company.....	396
Montgomery Webb Company.....	421
Pine Lake Park Land and Improvement Company	399
Windsor Company..	402
Property of married men and women—supplement to act to amend the law relating to the.....	126
Prosecutors of the pleas—act explanatory of act to fix salary of, in counties of the second class.....	130
supplement to act respecting.....	127
Protection of fish—supplement to act for the better, in the Raritan river and its tributaries.....	354
Protection of travelers, pedestrians, vehicles and animals on the public streets and highways—act for the better...	343
Public buildings—act regulating insurance on, in cities.....	178
act to authorize the purchase and erection of, and the purchase of land thereof in cities..	351
Public instruction—act to amend act to amend act to establish a system of.....	217
act to repeal section of act to amend act to establish system of.....	86
act to repeal supplement to act to establish system of.....	76
act regulating the number of trustees to be elected in school districts.....	41
supplement to act to establish system of..	58, 146
Public libraries—supplement to act to authorize cities to establish and maintain free.....	36
Public libraries, free—act to amend supplement to act to authorize establishment of.....	73
supplement to act to amend supplement to act to authorize the establishment of.....	238
Public parks—act to provide for music for, in boroughs.....	108
Public roads—act to amend act to provide for the permanent improvement of.....	116
act to authorize boards of chosen freeholders to lay out, open, construct, improve and maintain.....	272
act concerning, in counties of the first class.....	121

	Page
Public roads—act providing for working, amending, repairing and keeping in order, adjoining and forming the boundary line between two municipalities.....	342
supplement to act to authorize boards of chosen freeholders to lay out, open, construct, improve and maintain.....	93
supplement to act concerning.....	174
supplement to act to provide for the permanent improvement of.....	246
Public roads and parks—act to amend act concerning.....	90
Public sales of lands—act in relation to certain.....	133
Purchase and erection of public buildings and the purchase of land thereof in cities—act to authorize the.....	351

Q

Queen, John W.—member from Hudson county.....	6
---	---

R

Railroad corporations—act to authorize the dissolution of.....	23
Railroad grade crossings—act for the abolition of, in cities of the first class.....	139
Railroads—act approving of the union, consolidation and merger of the Martin's Creek Railway Company, the Enterprise Railroad Company and the Belvidere Delaware Railroad Company.....	176
act authorizing certain cities to enter into contracts with railroad companies, granting them the right to lay tracks upon the roads or streets.....	223
act consenting to the lease of the New York and Greenwood Lake railway.....	125
act for the abolition of grade crossings in cities of the first class.....	139
act relating to street railway companies.....	357
act relating to the carrying of freight or express matter by street railways.....	208
supplement to act for the formation of traction companies for the construction and operation of street railways.....	155
Railroads, street—act relating to.....	346
act to regulate the construction, operation and maintenance of.....	329
Railway companies, street—act relating to.....	357
Railways, street—act to extend the time for building and putting in operation certain.....	97
act relating to the carrying of freight or express matter by.....	208
Randolph township—act to change the territorial area of.....	40
Raritan river—supplement to act for the better protection of fish in the, and its tributaries.....	354

	Page
Real estate—act to compel the determination of claims to estates.....	243
Reed, Charles A.—member from Somerset county.....	7
Release of sureties—act to provide for the.....	109
Religious societies—act to repeal act to amend supplement to act to incorporate trustees of.....	105
Repairs of roads—act in relation to, suddenly destroyed.....	209
Righter, Joseph B.—member from Morris county.....	7
Roads—act to amend act concerning.....	80
act to amend act to provide for the permanent improvement of public.....	116
act to authorize legal voters of towns to direct a tax for the construction of hard.....	136
act giving the state commissioner of public, a fixed salary.....	147
Roads, repairs of—act in relation to, suddenly destroyed.....	209
Roads—supplement to act to authorize boards of chosen freeholders to lay out, open, construct, improve and maintain public.....	93
supplement to act concerning.....	174, 241
Roads, public—act to authorize boards of chosen freeholders to lay out, open, construct, improve and maintain.....	272
act concerning, in counties of the first class.....	121
act providing for working, amending, repairing and keeping in order, adjoining and forming the boundary line between two municipalities.....	342
supplement to act to provide for the permanent improvement of.....	246
Robertson, James—member from Passaic county.....	7
Rogers, Maurice A.—senator from Camden county.....	5
Roll, J. Martin—member from Union county.....	7
Ross Edmund L.—senator from Cape May county.....	5
Ruempler, Carl H.—member from Hudson county.....	6
Rutgers scientific school—act to amend supplement to act appropriating scrip for the public lands granted to the state.....	192

S

Safe deposit companies—supplement to act for the incorporation of.....	348
Sailors—act to amend act for the erection of monuments commemorative of services of, of the late war.....	91
Sale of bread—act to regulate the.....	261
Sales of land—supplement to act relating to, under a public statute.....	24
Sales of lands—act in relation to certain.....	133
Savings banks—supplement to act concerning.....	197
Schober, Charles A.—member from Essex county.....	6
School, manual training, at Bordentown—act to amend act relative to the.....	158

	Page
School buildings—act relative to the erection of, in townships....	61
act to enable incorporated towns to purchase lands and erect thereon.....	162
School commissioners—act to repeal act relating to vacancies in the office of, in cities of the first class.....	52
School districts—act to regulate the number of trustees to be elected in.....	41
School-houses—act to enable incorporated towns to construct, alter, enlarge or rebuild.....	162
School trustees—act to regulate the number of, to be elected.....	41
Schools—act to amend act to amend act to establish a system of public instruction.....	217
act providing for purchase of land and construction and repair of buildings for high school purposes in cities of the second class.....	43
act relative to the purchase of lands for purposes of, and the erection of buildings thereon in townships..	61
supplement to act for the establishment of, for indus- trial education.....	86
supplement to act to establish a system of public in- struction	146
Scovel, Henry S.—member from Camden county.....	6
Scrip for the public lands granted to the state—act to amend supplement to act appropriating.....	192
Settlement and collection of unpaid taxes, assessments and water rates in cities—supplement to act concerning...	190
Sewage disposal—act for the appointment of commissioners to consider system of, for the valley of the Passaic river.....	20
Sewerage or drainage—act to amend act to provide for, or both, in townships.....	337
Sewer connections in cities—act respecting.....	159
Sewers—act to amend act to enable towns, villages and municipa- lities governed by commissioners of improvement commissions to construct, through tide water creeks or water courses.....	106
act concerning the enforcement of the health code and ordinances and regulations of the local boards of health in cities, towns, townships or other municipa- lities wherein, are now or hereafter may be con- structed	345
act to provide a method of procedure for the condem- nation of lands required for, in towns, villages and in municipalities governed by a board of commis- sioners or improvement commissions,	231
supplement to act concerning the making and collect- ing of assessments for benefits by the construction of,	253
Sewers in cities—act respecting.....	159
Shade trees—act to protect from injury by horses, mules and other animals.....	239
Sheriffs—act concerning deeds heretofore made by.....	77
act limiting the time for bringing actions against.....	358
Sidewalks—act to authorize cities on or near the Atlantic ocean to lay out, construct, repair or enlarge and main- tain, along the sea front.....	71

	Page
Simpson, Albert J.—member from Essex county.....	6
Sinking funds—supplement to act for the establishment of, in certain townships.....	79
act to constitute commissioners of county.....	390
Skinner, Alfred F.—member from Essex county.....	6
Skirm, William H.—senator from Mercer county.....	5
Slover, Andrew H.—member from Middlesex county.....	7
Smart, Richard M.—member from Hudson county.....	6
Smith, George L.—member from Essex county.....	6
Snyder, George B.—member from Monmouth county.....	7
Societies—act regulating the time within which annual reports shall be filed with the commissioner of banking and insurance.....	352
Societies, religious—act to repeal act to amend supplement to act to incorporate trustees of.....	105
Soldiers—act to amend act for the erection of monuments commemorative of the services of, of the late war.....	91
Soldiers' home—act for the appointment of agents to acquire a tract of land for the, at Kearny.....	110
Staates, Christopher F.—senator from Warren county.....	5
Stanger, Solomon H.—member from Gloucester county.....	6
State charities and correction—act to repeal act to create a council of.....	179
State commissioner of public roads—act giving the, a fixed salary.....	147
State flag—joint resolution to define the.....	176
State institution for the instruction and maintenance of indigent deaf-mutes—supplement to act providing for.....	138
State museum—act to amend act to establish and maintain a.....	335
State prison—act to make provision for lighting the.....	242
State taxes—supplement to act for the imposition of, upon certain corporations.....	319, 392
Statutes—supplement to act relative to.....	10
Steam heat and power companies—act relating to.....	317
Stewart's digest—act to provide for a supplement to, of the law and chancery reports.....	138
Stokes, Edward C.—senator from Cumberland county.....	5
Street improvements in cities of the first class—act relating to the taking and appropriating lands and real estate for.....	98
Street light commissioners—act to amend act authorizing the election of, in townships.....	132
Street lighting districts—act to amend act authorizing the division of townships into.....	132
Street railroads—act relating to.....	346
act to regulate the construction, operation and maintenance of.....	329
Street railway companies—act relating to.....	357
Street railways—act to extend the time for building and putting in operation certain.....	97
act relative to the carrying of freight or express matter by.....	208
supplement to act for the formation of companies for the construction and operation of.....	155

	Page
Street and water commissioners—supplement to act constituting boards of, in cities of the first class.....	214
Streets—act to authorize cities on or near the Atlantic ocean to lay out, construct, repair or enlarge and maintain, along the sea front.....	71
act to enable cities to open, regulate and accept.....	42
act to enable cities of the second class to repave.....	94
act for the better protection of travelers, pedestrians, vehicles and animals on the public.....	343
act providing for working, amending, repairing and keeping in order, adjoining and forming the boundary line between two municipalities.....	342
act relative to the opening, widening, vacating or straightening of, in certain townships.....	333
supplement to act respecting the opening, widening, extending or otherwise improving of, in cities of the first class.....	62
Superintendent of streets—act providing for the appointment of, in towns having more than fifteen thousand inhabitants.....	135
Supreme court—act respecting fees of clerk of the.....	50
Sureties—act to provide for the release of.....	109
Surrogates—act to repeal supplement to act relating to the powers and duties of.....	235

T

Taxes—act concerning the collection of arrears of, by towns, boroughs or townships.....	201
act to establish rate of interest on arrears of, in cities...	163
act providing for the apportionment of, in cities of the first class.....	172
act in relation to, on personal property.....	181
act to repeal general act concerning.....	180
act respecting arrears of, in towns, townships and boroughs.....	230
Taxes, assessments and water rates in cities—supplement to act concerning the settlement and collection of arrearages of unpaid.....	190
Taxes, state—supplement to act for the imposition of, upon certain corporations.....	319, 392
Taxes—supplement to act concerning.....	17
Teachers' retirement fund—supplement to act to constitute a board of trustees of.....	58
Thanksgiving day—proclamation of governor.....	397
Thompson, Lewis A.—senator from Somerset county.....	5
Thorn, J. Wiggins—member from Mercer county.....	7
Tice, George H.—member from Middlesex county.....	7
Town—act to amend act authorizing any, or part thereof, to be incorporated as a city.....	38
act to amend act authorizing any, or part thereof, containing five thousand inhabitants to be incorporated as a city.....	211

	Page
Town of Dover—act to set off, from the township of Randolph..	40
Towns—act to abolish township committees in townships wherein there may now or hereafter exist any, governed by a board of commissioners or improvement commission	269
act to amend act to provide for the division into wards of incorporated.....	143
act to amend act to enable, governed by commissioners or improvement commissions to construct sewers through tide water creeks or water courses.....	106
act to authorize legal voters of, to direct a tax for the construction of hard roads.....	136
act concerning the collection of arrearages of taxes and assessments of, by	201
act concerning the enforcement of the health code and ordinances and regulations of the local boards of health in, wherein sewers are now or hereafter may be constructed.....	345
act to enable incorporated, to purchase lands and erect school buildings thereon, or to construct, enlarge or rebuild school-houses	162
act providing for the appointment of street superintendent in, having more than fifteen thousand inhabitants.....	135
act to provide a method of procedure for the condemnation of lands required for highways or sewers in.....	231
act relating to the formation of.....	229
act respecting arrears of taxes and assessments in.....	230
act respecting the term of office of the collectors of taxes, town assessor and town clerk in.....	55
supplement to act providing for the formation, establishment and government of.....	363
Township—act to amend act authorizing any or part thereof to be incorporated as a city.....	38
act to amend act authorizing any, or part thereof, containing five thousand inhabitants, to be incorporated as a city.....	211
Township committee—act relating to elections and appointments to office by any.....	120
Township committees—act to abolish, in townships wherein there now or hereafter may exist any municipality governed by a board of commissioners or improvement commission.....	269
Township of Lodi—act to annex a portion of, to the township of New Barbadoes.....	194
Township of New Barbadoes—act to annex to the, a portion of the township of Lodi.....	194
Township of Randolph—act to change the territorial area of... ..	40
Townships—act to abolish township committee in, wherein there may now or hereafter exist any municipality governed by a board of commissioners or improvement commission.....	269

	Page
Townships—act to amend act authorizing the division of, into street lighting districts and the maintenance of street lights therein.....	132
act to amend act to provide for the division into wards of incorporated ..	143
act to amend act to provide for sewerage or drainage, or both, in.....	337
act to amend act concerning public roads and parks.....	80
act to amend act to encourage the use of broad tires on wagons and carts.....	117
act to authorize any, now or hereafter having fifteen thousand inhabitants to purchase land and erect building for township purposes.....	78
act authorizing the construction of bicycle paths and foot paths along public roads in.....	100
act concerning the collection of arrearages of taxes and assessments by.....	201
act concerning the enforcement of the health code and ordinances and regulations of the local boards of health in, wherein sewers are now or hereafter may be constructed.....	345
act for the division of the assets and liabilities of, between such townships and any borough or boroughs set off from the same.....	270
act providing for working, amending, repairing and keeping in order public roads, streets and highways adjoining and forming the boundary line between two municipalities.....	342
act relating to elections and appointments to office by any township committee.....	120
act relating to poorhouses owned or maintained by,	127
act relative to the opening, widening, vacating or straightening of in certain.....	333
act relative to the purchase of lands for school purposes and the erection of buildings thereon in,	61
act respecting arrears of taxes and assessments in,	230
supplement to act for the establishment of sinking funds in certain	79
supplement to act relating to the supply of water for public uses in, of counties of the first class....	255
Townships of West Amwell and Delaware—act to change the boundary line between the.....	70
Traction companies—act relating to the carrying of freight or express matter by street railways.....	208
supplement to act for the formation of.....	155
Travelers—act for the better protection of, on the public streets and highways.....	343
Trees—act to protect shade, ornamental and fruit, from injury by horses, mules and other animals.....	239
Tricycles—act to regulate the use of.....	21
Tronchon, Aimee—act to release and convey the title and interest of the state in and to certain real estate of.....	327
Trust companies—supplement to act for the incorporation of.....	348

	Page
Trustees of teachers' retirement fund—supplement to act to constitute a board of.....	58
Trustees of incorporated orphan asylums—act to further provide for the formation of a quorum in boards of.....	57
Trustees of religious societies—act to repeal act to amend supplement to act to incorporate.....	105
Trustees of schools for industrial education—supplement to act providing for.....	86

U

Uilmann, Jacob H.—member from Bergen county	6
United States—act to cede jurisdiction to, over lands in the county of Bergen.....	47
Unpaid taxes, assessments and water rates in cities—supplement to act concerning the settlement and collection of arrearages of.....	190

V

Vacancies in office of alderman or common councilman—act to repeal act relating to.....	19
Valley of the Passaic river—act for the appointment of commissioners to consider a system of sewage disposal for the.....	20
Vehicles—act for the better protection of, on the public streets and highways.....	343
Vice chancellors—supplement to act respecting the court of chancery.....	200
Villages—act to abolish township committees in townships wherein there now or hereafter may exist any, governed by a board of commissioners or improvement commission.....	269
act to amend act to enable, governed by commissioners or improvement commissions to construct sewers through tide water creeks or water courses...	106
act relating to the formation of.....	171
act to provide a method of procedure for the condemnation of lands required for highways or sewers in,	231
Visitors to agricultural college—act to amend supplement to act appropriating scrip for the public lands granted to the state.....	192
Voorhees, Foster M.—senator from Union county..	5
Voorhees, Frederick L.—member from Bergen county.....	6
Voters, legal—act to define the meaning and effect of a vote of,	123
Vreeland, John B.—senator from Morris county.....	5

W

	Page
Wages—act to provide for the payment of, every two weeks.....	262
Wagons—act to amend act to encourage the use of broad tires on.....	117
Walling, Alfred, Jr.—member from Monmouth county.....	7
Ward, John C.—senator from Salem county.....	5
Wards—act to amend act to provide for the division of incor- porated towns, townships and boroughs into.....	143
Water for public uses—supplement to act relating to the supply of, in townships of counties of the first class.....	255
Water rates in cities—supplement to act concerning the settle- ment and collection of arrearages of unpaid.....	190
Water rents—act providing for the apportionment of, in cities of the first class.....	172
Water and street commissioners—supplement to act constituting boards of, in cities of the first class.....	214
Water works—act to enable cities of the first class to improve and repair in.....	87
West Amwell and Delaware townships—act to change the boundary line between.....	70
West Jersey game protective society—act to repeal act to incor- porate.....	104
Wildes, George—member from Burlington county.....	6
Windsor Company—proclamation by the governor.....	402
Williams, Robert—senator from Passaic county.....	5
Women—supplement to act to amend the law relating to the property of married.....	126
Women as masters in chancery—act providing for the appoint- ment of.....	189
Workshops—act to amend general act relating to.....	251

