

CHAPTER 168

AN ACT concerning civil rights, and amending sections 10:1-3, 10:1-6 and 10:1-8 of the Revised Statutes.

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

1. Section 10:1-3 of the Revised Statutes is amended to read as follows: Section amended.

10:1-3. No owner, lessee, proprietor, manager, superintendent, agent or employee of any such place shall directly or indirectly refuse, withhold from, or deny to, any person any of the accommodations, advantages, facilities or privileges thereof, or directly or indirectly publish, circulate, issue, display, post, or mail any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from, or denied to, any person on account of race, creed, color, national origin, or ancestry, or that the patronage or custom thereof of any person belonging to or purporting to be of any particular race, creed, color, national origin, or ancestry, is unwelcome, objectionable or not acceptable, desired or solicited. Withholding privilege.

2. Section 10:1-6 of the Revised Statutes is amended to read as follows: Section amended.

10:1-6. Any person who shall violate any of the provisions of sections 10:1-2 to 10:1-5 of this Title by denying to any citizen, except for reasons applicable alike to all citizens of every race, creed, color, national origin or ancestry and regardless of race, creed, color, national origin, or ancestry, the full enjoyment of any of the accommodations, advantages, facilities or privileges in said sections enumerated, or by aiding or inciting such denial, or who shall aid or incite the violation of any of the Penalty for violation.

said provisions shall, for each and every violation thereof, forfeit and pay the sum of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), to the State, to be recovered in an action at law, with costs, and shall also, for every such violation, be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than five hundred dollars (\$500.00), or imprisonment of not more than ninety days, or both.

Section
amended.

3. Section 10:1-8 of the Revised Statutes is amended to read as follows:

Grand or
petit juror.

10:1-8. No citizen possessing all other qualifications prescribed by law shall be disqualified for service as a grand or petit juror in any court on account of race, color, creed, national origin, or ancestry, and any officer or other person charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause aforesaid shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars (\$5,000.00).

4. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 169

AN ACT to prevent and eliminate practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry; to create a division in the Department of Education to effect such prevention and elimination; and making an appropriation therefor.

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

1. This act shall be known as "Law Against Discrimination." C. 18:25-1.
Title.
2. The enactment hereof shall be deemed an exercise of the police power of the State for the protection of the public safety, health and morals and to promote the general welfare and in fulfillment of the provisions of the Constitution of this State guaranteeing civil rights. C. 18:25-2.
Exercise of
police power.
3. The Legislature finds and declares that practices of discrimination against any of its inhabitants, because of race, creed, color, national origin or ancestry, are a matter of concern to the government of the State, and that such discrimination threatens not only the rights and proper privileges of the inhabitants of the State but menaces the institutions and foundation of a free democratic State. C. 18:25-3.
Declaration of
Legislature.
4. The opportunity to obtain employment without discrimination because of race, creed, color, national origin or ancestry is recognized as and declared to be a civil right. C. 18:25-4.
Civil right.
5. As used in this act, unless a different meaning clearly appears from the context: C. 18:25-5.
 - a. "Person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy or receivers. Person.

Employment
agency.

b. "Employment agency" includes any person undertaking to procure employees or opportunities to work.

Labor
organization.

c. "Labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

Unlawful
employment
practice.

d. "Unlawful employment practice" includes only those unlawful practices specified in section eleven of this act.

Employer.

e. "Employer" does not include a club exclusively social or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized for private profit nor does it include any employer with fewer than six persons in his employ.

Employee.

f. "Employee" does not include any individual employed by his parents, spouse or child, or in the domestic service of any person.

Division.

g. "Division" means the State "Division against Discrimination" created by this act.

Commissioner.

h. "Commissioner" means the State Commissioner of Education.

C. 18:25-6.
Division
against
discrimination.

6. There is created in the State Department of Education a division to be known as "The Division against Discrimination" with power to prevent and eliminate discrimination in employment against persons because of race, creed, color, national origin or ancestry by employers, labor organizations, employment agencies or other persons and to take other actions against discrimination because of race, creed, color, national origin or ancestry, as herein provided; and the division created hereunder is given general jurisdiction and authority for such purposes.

C. 18:25-7.
Council.

7. The said division shall consist of the Commissioner of Education and a council. The council

shall consist of seven members; each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of five years and until his successor is appointed and qualified, except that of those first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years and two for a term of four years. Vacancies caused other than by expiration of term shall be filled in the same manner but for the unexpired term only. Members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. The first chairman of the council shall be designated by the Governor and thereafter, the chairman shall be elected by the members, annually.

Vacancies.

Chairman.

8. The commissioner shall

C. 18:25-8.
Duties of
commissioner.

a. Exercise all powers of the division not vested in the council.

b. Administer the work of the division.

c. Prescribe the organization of the division and the duties of his subordinates and assistants.

d. Subject to the approval of the council and the Governor, appoint such other officers, employees and agents, and fix their compensation within the limits of available appropriations, except as may be otherwise provided by law.

e. Maintain liaison with local, State and Federal officials and agencies concerned with matters related to the work of the division.

f. Subject to the approval of the council, adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this act.

g. Receive, investigate and pass upon complaints alleging discrimination in employment against persons because of race, creed, color, national origin or ancestry.

h. Hold hearings, subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the commissioner. The commissioner may make rules as to the issuance of subpoenas by the assistant commissioner.

i. Issue such publications and such results of investigations and research tending to promote good will and to minimize or eliminate discrimination because of race, creed, color, national origin or ancestry, as the council shall direct.

j. Render each year to the Governor and Legislature a full written report of all the activities of the division.

C. 18:25-9.
Assistant
commissioner
of education.

8A. An assistant commissioner of education, who shall be appointed by the Governor with the advice and consent of the Senate, shall be assigned to the division against discrimination. Such assistant commissioner shall act for the commissioner, in his place and with his power; he shall receive an annual salary of seven thousand dollars (\$7,000.00); he shall hold office for five years and until his successor has qualified.

C. 18:25-10.
Duties of
council.

9. The council shall

a. Consult with and advise the commissioner with respect to the work of the division.

b. Approve or disapprove the appointment of officers, employees and agents, and the fixing of their compensation by the commissioner.

c. Survey and study the operations of the division.

d. Report to the Governor and the Legislature with respect to such matters relating to the work of the division and at such times as it may deem in the public interest.

e. Create such advisory agencies and conciliation councils, local, regional or State-wide, as in its judgment will aid in effectuating the purposes of this act, and the council may empower them to study the problems of discrimination in all or specific fields of human relationships or in specific instances of discrimination because of race, creed, color, national origin or ancestry and to foster through community effort or otherwise good will, cooperation and conciliation among the groups and elements of the population of the State, and make recommendations to the council for the development of policies and procedures in general and in specific instances and for programs of formal and informal education which the council may recommend to the appropriate State agency. Such advisory agencies and conciliation councils shall be composed of representative citizens, serving without pay, but with reimbursement for actual and necessary traveling expenses; and the council may make provision for technical and clerical assistance to such agencies and councils and for the expenses of such assistance.

10. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to the subpoena of the commissioner or assistant commissioner, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons so compelled to testify.

C. 18:25-11.
No person
excused from
testifying.

C. 18:25-12.
Unlawful
employment
practice.

11. It shall be an unlawful employment practice:

a. For an employer, because of the race, creed, color, national origin or ancestry of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

b. For a labor organization, because of the race, creed, color, national origin or ancestry of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer.

c. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly any limitation, specification or discrimination as to race, creed, color, national origin or ancestry or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification.

d. For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices forbidden under this act or because he has filed a complaint, testified or assisted in any proceeding under this act.

e. For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so.

C. 18:25-13.
Complaint
by aggrieved
person.

12. Any person claiming to be aggrieved by an alleged unlawful employment practice may, by himself or his attorney-at-law, make, sign and file

with the commissioner a verified complaint in writing which shall state the name and address of the person, employer, labor organization or employment agency alleged to have committed the unlawful employment practice complained of and which shall set forth the particulars thereof and contain such other information as may be required by the commissioner. The Commissioner of Labor or Attorney-General may, in like manner, make, sign and file such complaint. Any employer whose employees, or some of them, refuse or threaten to refuse to co-operate with the provisions of this act, may file with the commissioner a verified complaint asking for assistance by conciliation or other remedial action.

Complaint by
commissioner
of labor.

13. After the filing of any complaint, the commissioner shall cause prompt investigation to be made in connection therewith; and if the commissioner shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful employment practice complained of by conference, conciliation and persuasion. Neither the commissioner nor any officer or employee of the division shall disclose what has transpired in the course of such endeavors.

C. 18:25-14.
Investigation.

14. In case of failure so to eliminate such practice, or in advance thereof if in his judgment circumstances so warrant, he shall cause to be issued and served in the name of the division, a written notice, together with a copy of such complaint, as the same may have been amended, requiring the person, employer, labor organization or employment agency named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the commissioner at a time and place to be specified in such notice. The place of any such hearing shall be the office of the commissioner or such other place as may be designated by him.

C. 18:25-15.
Notice to
answer
charges.

15. The case in support of the complaint shall be presented before the commissioner by the at-

C. 18:25-16.
Answer to
complaint.

torney for the division and evidence concerning attempted conciliation shall not be received. The respondent may file a written verified answer to the complaint and appear at such hearing in person or representative, with or without counsel, and submit testimony. In the discretion of the commissioner, the complainant may be allowed to intervene and present testimony in person or by counsel. The commissioner or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The commissioner shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and be transcribed.

C. 18:25-17.
Order to
cease unlaw-
ful employment
practice.

16. If, upon all the evidence at the hearing the commissioner shall find that the respondent has engaged in any unlawful employment practice as defined in this act, the commissioner shall state his findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice and to take such affirmative action, including, but not limited to, hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the commissioner, will effectuate the purposes of this act, and including a requirement for report of the manner of compliance. If, upon all the evidence, the commissioner shall find that the respondent has not engaged in any such unlawful employment practice, the commissioner shall state his findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent.

C. 18:25-18.
Rules of
practice.

17. The commissioner shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and his own actions thereunder. Any complaint filed pursuant to this section must be so filed within ninety days after the alleged act of discrimination.

18. Observance of the orders of the commissioner may be enforced by mandamus or injunction in appropriate cases, or by suit in equity to compel the specific performance of the order or of the duties imposed by law upon the respondent named in the order. Any order made by the commissioner may be reviewed upon certiorari by the Supreme Court. No certiorari shall be allowed unless application therefor be made within thirty days from the date of service of the order upon respondent nor unless notice in writing of the application shall have been given to the commissioner with a copy of the affidavits or proof upon which the application is based. The notice shall be served upon the commissioner either personally or by leaving it at the office of the commissioner in Trenton. The evidence presented to the commissioner, together with his findings and the order issued thereon, shall be certified by the commissioner to the Supreme Court as his return.

C. 18:25-19.
Orders
enforced by
mandamus.

19. The allowance of a writ of certiorari to review any order of the commissioner shall not supersede or stay such order unless the Supreme Court or a justice thereof shall so direct.

C. 18:25-20.
Writ of
certiorari.

20. The Supreme Court is given jurisdiction to review any order of the commissioner and to set aside such order in whole or in part when it clearly appears that there was no evidence before the commissioner to support the same reasonably or that the same was without the jurisdiction of the commissioner.

C. 18:25-21.
Jurisdiction of
Supreme Court.

21. No order of the commissioner shall be set aside in whole or in part for any irregularity or informality in the proceedings of the commissioner unless the irregularity or informality tends to defeat or impair the substantial right or interest of the prosecutor in certiorari.

C. 18:25-22.
Order not to
be set aside
because of
irregularity.

22. Upon such review, the Supreme Court may affirm, reverse or modify any such order or may make such other order as shall appear equitable and just.

C. 18:25-23.
Court may
affirm or
modify.

C. 18:25-24.
Testimony
available.

23. The commissioner's copy of the testimony shall be available at all reasonable times to all parties for examination without cost and for production upon an application for a writ of certiorari. The review upon certiorari shall be on the record without requirement of printing.

C. 18:25-25.
Attorney
for division.

24. The Attorney-General shall be the attorney for the division.

C. 18:25-26.
Guilty of
misdemeanor.

25. Any person, employer, labor organization or employment agency, who or which shall willfully resist, prevent, impede or interfere with the commissioner or any representatives of the division in the performance of duty under this act, or shall willfully violate an order of the commissioner, shall be guilty of a misdemeanor and be punishable by imprisonment for not more than one year, or by a fine of not more than five hundred dollars (\$500.00), or by both; but procedure for the review of the order shall not be deemed to be such willful conduct.

C. 18:25-27.
Provision of
act liberally
construed.

26. The provisions of this act shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this act shall be deemed to repeal any of the provisions of the civil rights law or of any other law of this State relating to discrimination because of race, creed, color, national origin or ancestry; but, as to acts declared unlawful by section eleven of this act, the procedure herein provided shall, while pending, be exclusive; and the final determination therein shall exclude any other action, civil or criminal, based on the same grievance of the individual concerned. If such individual institutes an action based on such grievance without resorting to the procedure provided in this act, he may not subsequently resort to the procedure herein.

C. 18:25-28.
Parts
severable.

27. If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act.

28. There is appropriated to the Commissioner of Education the sum of forty-four thousand, three hundred fifty dollars (\$44,350.00) for the fiscal year ending June thirtieth, one thousand nine hundred and forty-six, to carry out the purposes of this act.

29. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 170

AN ACT to abolish the Good Will Commission, and to transfer all its property and appropriations to the division against discrimination in the Department of Education and concerning its employees.

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

1. The Good Will Commission created by Joint Resolution No. 11 of one thousand nine hundred and thirty-eight and all offices, positions and employments of said commission are abolished, but the present employees of the commission shall be given preference in any employment in the division against discrimination in the absolute discretion of the Commissioner of Education, having in mind the fitness of such employees for the performance of the duties to be assigned to them and the change in functions of the said division from those of the Good Will Commission.

2. All books, records, supplies, equipment and other property in the possession or custody of said Good Will Commission or any of its officers or employees shall be delivered to the division against discrimination upon the taking effect of this act.

3. All moneys to the credit of or appropriated to the Good Will Commission are hereby appropriated

28. There is appropriated to the Commissioner of Education the sum of forty-four thousand, three hundred fifty dollars (\$44,350.00) for the fiscal year ending June thirtieth, one thousand nine hundred and forty-six, to carry out the purposes of this act.

29. This act shall take effect immediately.

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2. All books, records, supplies, equipment and other property in the possession or custody of said Good Will Commission or any of its officers or employees shall be delivered to the division against discrimination upon the taking effect of this act.

3. All moneys to the credit of or appropriated to the Good Will Commission are hereby appropriated

to the Commissioner of Education for the use of the division against discrimination.

Repealer.

4. Joint Resolution No. 11 of one thousand nine hundred and thirty-eight is repealed.

5. This act shall take effect July first, one thousand nine hundred and forty-five.

Approved April 16, 1945.

CHAPTER 171

AN ACT concerning employment on public works, and amending section 10:2-1 of the Revised Statutes.

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

Section amended.

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

10:2-1. Every contract for or on behalf of the State or any county or municipality for the construction, alteration or repair of any public building or public work shall contain provisions by which the contractor agrees that:

No discrimination because of race.

a. In the hiring of laborers, workmen and mechanics for the performance of work under this contract or any subcontract hereunder, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, or ancestry, discriminate against any citizen of the State of New Jersey who is qualified and available to perform the work to which the employment relates;

Not to intimidate any employee.

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this

to the Commissioner of Education for the use of the division against discrimination.

Repealer.

4. Joint Resolution No. 11 of one thousand nine hundred and thirty-eight is repealed.

5. This act shall take effect July first, one thousand nine hundred and forty-five.

Approved April 16, 1945.

CHAPTER 171

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

Section amended.

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

10:2-1. Every contract for or on behalf of the State or any county or municipality for the construction, alteration or repair of any public building or public work shall contain provisions by which the contractor agrees that:

No discrimination because of race.

a. In the hiring of laborers, workmen and mechanics for the performance of work under this contract or any subcontract hereunder, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, or ancestry, discriminate against any citizen of the State of New Jersey who is qualified and available to perform the work to which the employment relates;

Not to intimidate any employee.

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this

contract on account of race, creed, color, national origin, or ancestry;

c. There may be deducted from the amount payable to the contractor by the State of New Jersey or by any municipal corporation thereof, under this contract, a penalty of five dollars (\$5.00) for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the State of New Jersey or by any county or municipality thereof; and all money due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract.

2. This act shall take effect immediately.
Approved April 16, 1945.

CHAPTER 172

AN ACT concerning education, and amending section 18:14-2 of the Revised Statutes.

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

1. Section 18:14-2 of the Revised Statutes is amended to read as follows:

18:14-2. No child between the ages of four and twenty years shall be excluded from any public school on account of his race, creed, color, national origin, or ancestry. A member of any board of education who shall vote to exclude from any public school any child, on account of his race, creed, color, national origin, or ancestry shall be guilty of a mis-

Penalty.

Cancellation
of contract.

Section
amended.

No child to be
excluded from
school because
of race.

contract on account of race, creed, color, national origin, or ancestry;

c. There may be deducted from the amount payable to the contractor by the State of New Jersey or by any municipal corporation thereof, under this contract, a penalty of five dollars (\$5.00) for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the State of New Jersey or by any county or municipality thereof; and all money due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract.

2. This act shall take effect immediately.
Approved April 16, 1945.

CHAPTER 172

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Penalty.

Cancellation
of contract.

Section
amended.

No child to be
excluded from
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of race.

demeanor, and punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00), or by imprisonment in the county jail, workhouse, or penitentiary of the county in which the offense has been committed, for not less than thirty days nor more than six months, or by both such fine and imprisonment in the discretion of the court.

2. This act shall take effect immediately.
Approved April 16, 1945.

CHAPTER 173

AN ACT concerning certain municipal institutions, and amending section 30:9-17 of the Revised Statutes.

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

Section amended.

1. Section 30:9-17 of the Revised Statutes is amended to read as follows:

Management of hospital.

30:9-17. The management and control of all hospitals established under authority of section 30:9-16 of this Title shall be vested in the board of health of the city or cities wherein any such hospital has been or may be established, which board shall have power, from time to time, to make such rules and regulations as it may deem necessary or proper for the efficient management of such hospitals and the conduct of the affairs thereof; but no rule or regulation so made shall allow any preference to be shown in the admission of patients to such hospitals or in granting relief to the sick or distressed on account of difference in race, creed, color, national origin or ancestry of applicants for admission to or treatment in such hospitals. Such board of health shall have power to appoint such

No preference in admission because of race.

demeanor, and punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00), or by imprisonment in the county jail, workhouse, or penitentiary of the county in which the offense has been committed, for not less than thirty days nor more than six months, or by both such fine and imprisonment in the discretion of the court.

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Section amended.

1. Section 30:9-17 of the Revised Statutes is amended to read as follows:

Management of hospital.

30:9-17. The management and control of all hospitals established under authority of section 30:9-16 of this Title shall be vested in the board of health of the city or cities wherein any such hospital has been or may be established, which board shall have power, from time to time, to make such rules and regulations as it may deem necessary or proper for the efficient management of such hospitals and the conduct of the affairs thereof; but no rule or regulation so made shall allow any preference to be shown in the admission of patients to such hospitals or in granting relief to the sick or distressed on account of difference in race, creed, color, national origin or ancestry of applicants for admission to or treatment in such hospitals. Such board of health shall have power to appoint such

No preference in admission because of race.

physicians and surgeons, superintendents and matrons, assistants and servants as the demands of such hospitals may require.

2. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 174

AN ACT to amend "An act prohibiting the discrimination by industries engaged in defense work in the employment of persons therein," approved May fourth, one thousand nine hundred and forty-two (P. L. 1942, c. 114).

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

1. The paragraph of the act of which this act is amendatory, immediately following the enacting clause and preceding section one, is amended to read as follows: Paragraph amended.

It is declared to be the public policy of the State of New Jersey that it opposes discrimination in the engagement of persons employed on defense contracts or public works, by reason of race, color, creed, national origin, or ancestry.

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

1. It shall be unlawful for any employer engaged to any extent whatsoever in the production, manufacture or distribution of military or naval material, equipment or supplies for the State of New Jersey, or for the Federal Government, or for any subsidiary or agency of either the State or Federal Government, or who is engaged on any defense contract whatsoever, to refuse to employ any person in any capacity on account of the race, color, creed, national origin, or ancestry of such person. C. 10:1-10.
Unlawful to refuse to employ because of race.

physicians and surgeons, superintendents and matrons, assistants and servants as the demands of such hospitals may require.

2. This act shall take effect immediately.

Approved April 16, 1945.

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

1. The paragraph of the act of which this act is amendatory, immediately following the enacting clause and preceding section one, is amended to read as follows: Paragraph amended.

It is declared to be the public policy of the State of New Jersey that it opposes discrimination in the engagement of persons employed on defense contracts or public works, by reason of race, color, creed, national origin, or ancestry.

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

1. It shall be unlawful for any employer engaged to any extent whatsoever in the production, manufacture or distribution of military or naval material, equipment or supplies for the State of New Jersey, or for the Federal Government, or for any subsidiary or agency of either the State or Federal Government, or who is engaged on any defense contract whatsoever, to refuse to employ any person in any capacity on account of the race, color, creed, national origin, or ancestry of such person. C. 10:1-10.
Unlawful to refuse to employ because of race.

Section amended.

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

C. 10:10-11.

2. Any employer or person who

Unlawful to exclude because of race.

(1) Excludes a citizen by reason of race, color, creed, national origin, or ancestry, from any public employment, or employment in any capacity, in industries engaged on defense contracts, or

Unlawful to deny public employment because of race.

(2) Denies, or aids or incites another to deny, to any person, because of race, color, creed, national origin, or ancestry, public employment or employment in any capacity, in industries engaged on defense contracts,

Guilty of misdemeanor.

shall be guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00), or imprisonment for not more than six months or both.

4. This act shall take effect immediately.

Approved April 16, 1945.

CHAPTER 175

AN ACT concerning persons honorably discharged from the armed services of the United States in any of its wars, and supplementing Title 38 of the Revised Statutes.

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

C. 38:23-8.
Veterans engaged in public service.

1. 7. Whenever in any law, any rights, privileges or benefits are granted to persons holding any appointive office, position or employment in either the State, county or municipal government by reason